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HANSARD'S DEBATES.

HANSARD'S PARLIAMENTARY DEBATES:

FORMING A CONTINUATION OF

"THE PARLIAMENTARY HISTORY OF ENGLAND,
FROM THE EARLIEST PERIOD TO THE
YEAR 1803."

Third Series;

COMMENCING WITH THE ACCESSION OF

WILLIAM IV.

VOL. XX.

COMPRISING THE PERIOD FROM
THE TWENTY-SIXTH DAY OF JULY,
TO
THE TWENTY-NINTH DAY OF AUGUST, 1833.

Sixth and last Volume of the Session.

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1833.

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HANSARD'S

Parliamentary Debates

During the FIRST SESSION *of the* ELEVENTH PARLIAMENT
of the United Kingdom of GREAT BRITAIN *and*
IRELAND, *appointed to meet at Westminster,*
29th January, 1833,
in the Third Year of the Reign of His Majesty
WILLIAM THE FOURTH.

Sixth Volume of the Session.

HOUSE OF LORDS,
Friday, July 26, 1833.

MINUTES.] Petitions presented. By the Earl of FALMOUTH, from the Licensed Victuallers of several Places in Cornwall, for an Alteration in the Sale of Beer Act.—By the Marquess of DOWNSHIRE, from Dromore, for the Abolition of Slavery.—By the Earl of SUFFOLK, from the County of Gloucester, for the Establishment of Local Courts.

CHURCH TEMPORALITIES (IRELAND).] The House resolved itself into a Committee on this Bill.

The Chairman (the Earl of Shaftesbury) said, that the question before them still was the 117th clause, where they had left off last night.

Earl *Grey* said, he was then prepared to propose to their Lordships the further alterations, which it was the understanding last night should be submitted to them. Before he did that, he wished to advert to what passed last night, and what was likely to be its effect. He wished not to conceal from their Lordships his disappointment and regret, at the decision to which they had come. The circumstances under which that took place, as well as those which attended the division, with the consequences of the result, had placed his Majesty's Ministers in a situation of difficulty and embarrassment. He had thought it necessary, before proceeding with the Bill, to take time to consider with his colleagues what course they should pursue, in consequence of the adverse decision to which their Lordships came. The Amendment, in his opinion, was not of very great importance; the effect of it was merely this—that, in the first instance, there was a limitation of those funds, arising from the parishes in which service had not been performed for three years, to the building of churches and glebe-houses, before they were applied to any other purpose; but if it should appear to the Commissioners that it was not necessary so to use those funds for the purpose of the parish, then they were to be transferred to the general fund to be used for the general purposes of the Act. That he understood to be the meaning of the Amendment, and he did not know, except under the circumstances in which the vote was passed, that he should make any objections to it, or that the effect of it would be to materially alter the discretion of the Commissioners. Taking into due consideration the effect of the Amendment in his opinion, though he was far from considering it to be an improvement of the Bill, if it were not intended beyond this, it would not much impair the measure. Such an alteration not effecting any alteration in the general principle of the Bill, he did not consider that it was consistent with the duty which he had taken on himself to abandon the Bill. As the matter stood at present, he should think himself bound to go on with the measure —which he considered essential to the protection of the Established Church, and well calculated to get rid of the difficulties to which the Protestant clergy were exposed, if it were carried to a successful conclusion. At the same time he must state, he could not indeed disguise it, that he should do so with a deep sense of the difficulties in which his Majesty's Government were placed, and certainly feeling, if further alterations were made in the same sense, that he must again take it upon him to consider how far it would be consistent with the duty which he owed to his country and himself, and duly considering his situation, whether he could persevere in further recommending the measure to their Lordships for adoption. He would say, while he would not suffer any alteration to be made which would impair the efficacy of the measure, that he was prepared to go on with the Bill, and propose those further alterations which the Amendments of last night had made necessary. It had been his most earnest wish and endeavour, as far as he consistently could, in relation to that paramount duty of maintaining in full force the main principles of the Bill, to make every concession that was in his power. He must confess that, having conceded the material points of objection that applied to this particular clause, that it was to him a cause of great mortification and regret, that the Amendment was insisted upon which he felt himself obliged, after going to the great extent of concession which he had gone, to oppose. He would then proceed to the further consideration of this clause, and also to what was stated by the right reverend Prelate, assenting in those observations as he did to the general principle of the clause. If any principle of the clause was infringed by the Amendment of the right reverend Prelate, it would then be a question with him how far it was consistent with his honour and duty further to proceed with the Bill. Now there were two points on which alteration had been required—the first was, that the Commissioners should have power to give salaries not only to the incumbent and officiating minister of the adjoining parish, for doing anything that was required in the suppressed benefices, but also that they should have power, if they thought it necessary, of appointing a curate to perform the duties in the suspended benefice. The other point was, the saving the rights of the Bishops. With respect to the proposition made by the most reverend Prelate to which he found it necessary to object—that of giving the Bishop an absolute control—because that would produce a conflicting authority, his Grace was pleased to agree to the proposition which he had made, and to state that he considered it an improvement. To meet those views, and to further the objects of the most reverend Prelate, he had now to propose some Amendments to the subsequent part of the clause. The first alteration he should propose, would be to give power to the Commissioners to give salaries to the incumbent of the adjoining parishes, and also to the curates, if it should be thought necessary to appoint them; and, secondly, he should propose, in conformity with the system of the Bill, that they should admit the Bishop or Archbishop of the diocess, on any question of suspending a living, to a seat at the Board of the Commissioners, and that he should, *pro hac vice*, vote and decide with the Commissioners; and the same should take place on any question of removing the suspension. He would state the Amendments he proposed in the clause to carry these objects into effect. The noble Earl concluded by proposing Amendments accordingly, which were agreed to.

The remaining clauses of the Bill with the schedules, were agreed to.

The House resumed.

HOUSE OF COMMONS,

Friday, July 26, 1833.

Minutes.] Papers ordered. On the Motion of Mr. Hawes, an Account of all Sums paid by the Board of Works on account of the British Museum, from February 16th, 1821, to March 25th, 1833.—On the Motion of Mr. Finn, Accounts for the year commencing 1st November, 1831, and ending 1st November, 1832, of the Number of Days and Hours (as nearly as the same can be ascertained) of the Sittings in Court of the Judges of the Superior Courts in Ireland; distinguishing, separately, the attendance of every Judge: of the Names of the Persons who, during the twenty years preceding 1st November 1832, have filled Offices attached to, or connected with the Superior Courts of Justice in Ireland, &c.: Accounts of any Allowances made to the Judges for going Circuit in 1792 and 1832: of Allowances for presiding at Special Sessions in 1829, 1830, and 1831.—On the Motion of Mr. John Murray, Accounts of the Dues paid to, and Expenditure of the Trustees of Mumbles Light House, from 1816, to 1832: also the Sums Received and Expended as Droits of the Admiralty from Danish Vessels, from 1807.—On the Motion of Mr. Hume, a List of the Names of all Persons having Pensions on the Civil Lists of England, Scotland, and Ireland, on the 30th November, 1830.—On the Motion of Mr. Aglionby, a Return from the Chancery Office, Edinburgh, and from the Record of the Great Seal in Scotland, of any Appointment in favour of Viscount

MELVILLE of the Office of Keeper of his Majesty's Privy Seal in Scotland, subsequent to December 1st, 1814.

Bills. Read a third time:—Troopers Fund; Scottish and Irish Vagrants.—Read a second time:—Land Tax Commissioners; London Scavage and Package.

Petitions presented. By Mr. R. WALLACE, from Bury and Carnoustie, for the Abolition of Slavery; from Edinburgh, for Vote by Ballot, and the Repeal of the Septennial Act; from Stanley (Perthshire), in favour of the Factories' Regulation Bill; from two Political Unions, for the Repeal of the Corn Laws; from Forfar, against the Septennial Act and the Assessed Taxes; from the Dunfermline Political Union, against Nocturnal Legislation.—By Mr. TODD, from Wantage, against the Slavery Abolition Bill.—By Mr. ROBERT STEUART, from Dunbar, for an Inquiry into the Charges exacted for Northern Lights with a view to Reduction.—By Mr. SHEIL, from two Places, in favour of the New Plan of Education; from Newry, to comply with the Suggestion of the Committee on that Borough.—By Mr. ABERCROMBY, from Edinburgh, in favour of the Edinburgh Annuity Tax Bill.—By Mr. SHEIL, from several Places, for the Repeal of the Disturbances (Ireland) Act; from Cahie and Burnt Court, for Improving the Grand Jury System, for the Abolition of Tithes and Church Rates, for the Repeal of the Union, and for placing Petty Juries on the same Footing as in England; from Dublin, for an Inquiry into the Corporation Affairs of that Town.

BRITISH POSSESSIONS BILL.] The Speaker having called the Order of the Day for going into Committee on the above Bill,

Mr. *Poulett Thomson* said, that before the Order of the Day was read, he wished to make a proposition to the House. His proposal would be simply to consolidate the law as it at present existed. He would propose, therefore, with a view to the convenience of the Customs, merchants, and the trade generally, for the purpose of bringing into one Act of Parliament, that which was now contained in a great many Acts of Parliament, to consolidate simply the law as it stood at present, and not to make any alteration whatever. If the House should concur in this view of the question, he could pledge himself, as far as he was able, upon the authority of the legal gentlemen who had drawn up those Bills, that there should be in substance no alteration whatever—that with respect to the nine Bills it would be a simple and pure consolidation, without any change. If the House adopted his view, he was prepared to go on with those Bills; but if the House should not agree to that proposal, but be of opinion, contrary to former practice, and contrary to the experience of former times, that it was right to take the opportunity of a consolidation to make changes in the law, it was perfectly obvious that it would be utterly impossible for him to proceed with the Bills; and he should best suit the views of the House, and consult its convenience, by entirely withdrawing them. If Gentlemen meant to take the opportunity of suggesting alterations, they would lead to discussions of such a length, that it would be wholly impracticable at this late period to get the Bills passed this Session. On the understanding, therefore, that the nine Bills were simply matters of consolidation, he hoped the House would allow them to go through the Committee *pro formâ*.

Mr. *Hume* coincided in the suggestion of the right hon. Gentleman, except that it might be necessary for some Members who were practically acquainted with the subject, to draw the attention of the Government to some particular points. But, as regarded the Customs' Duties Bill, it was intended to make some very important alterations, and he would rather forego the discussion upon the others in order to discuss the latter Bill, which would take up a considerable time.

Mr. *George F. Young* suggested that it would be much better to proceed first with those Bills upon which no question could arise; but, with respect to the Registry of Vessels Bill he had great objections to it, as very pernicious in principle.

The British Possessions Bill was committed *pro forma*.

BREACH OF PRIVILEGE.] Mr. *O'Connell* rose to complain of a breach of privilege in a letter in *The Times* of this day, signed by the reporters of that journal, refusing to report him unless he apologized for having asserted, that some of the reports were designedly false, but as that was the truth, he had no apology to offer. He had had a similar collision in the case of the Catholic Association, when he had compelled the reporters to yield. The hon. Member alluded in detail, to two or three cases in which he asserted that the report of *The Times* had been designedly false.

Mr. *Methuen* objected to entering into any statements relative to an individual.

The *Speaker* observed, that in cases of Breach of Privilege, greater latitude was allowed to hon. Members than in other cases.

Mr. *O'Connell* then proceeded to detail the cases which referred to two speeches—one of his own, and one of Mr. Hunt's. A speech of his on the Irish Poor Laws, had soon after been summed up in eighteen lines and a-half by the same reporter; and if it had not been for *The Morning Post*, it would not have been known in

Ireland. He was determined that the privileges of the House should not be trampled upon in his person. He had been accused of want of personal courage; but some Members had a great want of moral courage, which prevented them from grappling with the Press. There had even been a shrinking from it by the Government. There would be no difficulty about dealing with the individuals when they came to the bar, as the Speaker knew how to support the dignity of the House, and would be able to address them in the happiest terms. The report of last night had been very partial in *The Times*, and had done great injustice to his hon. friend near him, the learned member for Drogheda, who had raised himself by his literary talents. The hon. Member concluded by moving, that Mrs. Anna Brodie, James Lawson, and John Joseph Lawson, should be called to the bar of the House on Monday.

Mr. *Hume* seconded the Motion, not on the grounds which had been taken by the hon. and learned Mover, but that they might have the matter fully before them. He had frequently stated his opinions and wishes upon the subject. There were great occasions when the proceedings of the House were given exceedingly well; but there were many others when they were more neglected. It was extremely desirable that their constituents should not be deceived by erroneous statements. While persons were allowed to report what passed in that House, they were bound not to withhold the statements of any one Member. They might exercise their own discretion as to giving more or less of the arguments on any question, but they were not warranted in withholding the arguments of one Member, and in giving the arguments of another on the opposite side of the question. He had witnessed things of that kind with great regret; but he had always been of opinion, that the matter would find its own natural level in the estimation of public opinion. The noble Lord opposite (Althorp) would recollect that he had pressed on him the propriety of putting an end to that species of domination which now assumed a particular character, and which took upon itself to declare, that it would report so much of what took place and no more. He submitted to the noble Lord, that no one act of the Government was of more importance to the public than removing the tax on newspapers, which would be the best remedy for this evil. It had been well-defined as the fourth power of the State—certainly it was a great power, but it ought to be honest, for there was as much mischief in the sin of omission as of commission. It was necessary that Members of this House should not be brought into collision with their constituents, and for these reasons he seconded the Motion; hoping that, as they had permitted the publication of their proceedings, the mere publication would not be considered as an offence, but the present form was adopted as the only one by which the House could take notice of it. He seconded it, in order that the House might express their opinion on the whole proceeding. He was exceedingly anxious to see two things—first, the removal of the tax on newspapers, which would destroy the monopoly; and, secondly, that the House should appoint an authorised person to report faithfully and honestly the proceedings, however shortly they might be reported. The proceedings in the Committee upon the Indian Bill, and on other important measures on which discussions had taken place, had been given very imperfectly. It was important not only to the Members themselves, but to the community, that the sentiments of the representatives should be known. Members of Parliament who did not attend Committees, were anxious to ascertain what had passed in them, and they had been accustomed to look to the public prints for information—at least as to the mere substance of the proceedings. Yet, in the Committee upon the East-India Bill, the proceedings of six hours had been comprised in six lines. The reports should either be faithful and honest, or the gallery should be closed, and the House could then come to some understanding as to what should be done. He knew nothing of the parties named in the letter in *The Times*, but the present Motion would raise the question whether they should be reported or not, and whether the reports should not be faithful, in order that the truth might go before the public.

Mr. *Herbert Curteis* put it to the hon. member for Dublin, if he could be serious in that part of his Motion which related to Mrs. Brodie. Mrs. Brodie was a most amiable and estimable lady, the widow of a clergyman, and deservedly beloved and respected by all who knew her. She at least could have nothing to do with reporting or not-reporting the hon. member for Dublin; and he requested to know, therefore, if the hon. Member meant to persist in this part of his Motion, for if he (Mr. O'Connell) did, he (Mr. Curteis) was quite sure that no one with feelings of justice—not to say of gallantry—could vote with him.

Mr. *O'Connell* was ready to dispense with the lady's attendance.

Mr. *O'Reilly* recommended the hon. and learned Member to withdraw the other part of his Motion. He really thought that a Motion founded on a breach of privilege ought not to be made by a man who could not come into court with clean hands. The charge brought against the Press in the present instance was, that every thing which the hon. and learned Member had chosen to say had not been reported; and the hon. and learned Member contended, that it was only due to the public, and to the Members of that House, that a fair report of what had occurred there should be published. Could the hon. and learned Member say, that he himself stood clear of the charge of having misrepresented, through the medium of the Press, the speeches of Members of that House, and of the proceedings which took place within its walls? Could the hon. and learned member for Dublin stand up, and declare with truth that he had not written letters?

The *Speaker* called the hon. Member to order. He conceived that the hon. Member did not distinctly comprehend the nature of the question before the House. It related to a matter which was indisputably a breach of the privileges of that House, and could not be affected by the fact that those privileges had also been violated by other publications of the proceedings of the House. The observation of the hon. Member had no connexion with the question whether or not certain parties should be called to the Bar, and therefore the hon. Member was out of order.

Mr. *O'Reilly* said, that he thought he might fairly go the length of declaring that it was more than questionable whether the privileges of that House had been really violated by the particular circumstance of which the hon. and learned Member complained. He was but a young Member of the House, and if he were wrong, he should, of course, yield to the general opinion; but he apprehended that the House could not punish the proprietors of any newspaper for not having reported the hon. and learned member for Dublin so fully as might be agreeable to him. Holding, then, that no breach of privilege had been committed by the non-publication of the hon. and learned Member's speeches, he should vote against the Motion, if it were pressed to a division.

Mr. *Cutlar Fergusson* said, that a resolution having been come to by a certain portion of the Press, that the speeches of a certain Member should not be reported, he really thought that the House could not pass over such a circumstance without notice. Before he proceeded further, he must say, that he could not concur in the charge which had been brought against the Press of not publishing accurate accounts of the speeches delivered in that House. On the contrary, he agreed with those who had borne testimony to the generally admirable manner in which the debates were reported. It frequently happened that Gentlemen did not think themselves sufficiently reported when they spoke upon subjects upon which public attention was not fixed. The newspapers, however, could not report every thing which was said in that House: it noticed only those questions which excited public interest; and when the reports were not given at length, they were in general succinctly and truly given. He admitted, that many questions were passed over without any notice at all; but he did not complain of that, nor did he quarrel with the reporters that they did not always give a full representation of the speeches spoken by Members of that House. It should always be born in mind, that hon. Members were extremely bad judges of the merits of their own speeches; and if they expected to find their speeches read admirably in the newspapers, they were likely to meet with frequent disappointments. But was it possible for the House to pass unnoticed the declaration made by the reporters for *The Times* newspaper—"that without any wish to prejudice the interests of the establishment, with which many of us have been long connected, and to which all of us are sincerely attached, we have deliberately resolved not to report any speech of Mr. O'Connell until he shall have retracted, as publicly as he made, the calumnious assertion that our reports are 'designedly false?'" The question was not between the Press and Mr. O'Connell, but between the Press and the people of England. Could it be permitted that the reporters should declare to the people of England that, on account of words uttered by a Member of that House, calumnious though they might be—that because they felt themselves to be personally insulted by a false statement—therefore, the words of the hon. Member who had so insulted them should be suppressed on every occasion. Here was a positive Resolution agreed to and published by the reporters of a certain paper, not to report the hon. and learned member for Dublin's speeches — which were always interesting to the people of Ireland, and deserving of the attention of the House—because they had been calumniated by that hon. and learned Member. It was because he regarded this to be a proceeding which the House ought not to overlook, that he should support the proposed Motion, though he certainly would not countenance any Motion having for its object to impeach any individual for not giving a faithful account of the proceedings of Parliament. A charge of wilful misrepresentation was the only one to which he would give ear; but it should be recollected, that it would be extremely difficult to substantiate such a charge, because errors must occasionally creep into the reports from mistake. He did not support the Motion on the ground that the debates were not truly and correctly reported; but because he reprobated the publication of a declaration that nothing stated by an hon. Member should go forth to the public.

Sir *Matthew White Ridley* said, he felt great objections at all times to the exercise of the privilege which the Members of that House possessed of calling any individual to the Bar to account for his conduct, and particularly in cases such as that under consideration. The power which the House possessed was so great, that he was anxious to see it exercised as little as possible, and with the greatest caution. He should certainly have opposed the Motion made yesterday, and he was about to offer himself to the notice of the House, when he was prevented by the judicious withdrawal of the Motion by the hon. and learned member for Dublin. But the question before them was totally different from the question before the House yesterday; and he was bound to say, that he felt it his duty to give it his humble support, very much for the reasons stated by his hon. and learned friend, the member for Kircudbright, and more particularly upon the ground that it was an evident and gross breach of privilege for any individuals to presume to complain of a Member of that House calumniating them in his place in that House, and on that account to call on him to make an apology. He, therefore, felt himself bound, though not without great regret, to accede to the present Motion. He was sorry, that the hon. and learned Member had thought it necessary to call the attention of the House to the subject, because it was impossible that the speeches of the hon. and learned Member could be long suppressed, since the country to which he belonged must be desirous of learning what his sentiments were on the various questions which came under the consideration of the House. He was a person of great talent and ability, and must be attended to by the reporters. As to the suggestion which was made by some hon. Members to have authorized reporters employed by the House, he should be prepared, whenever it came before the House in the shape of a Motion, to oppose it. That was not, however, the proper time to discuss that subject, and he should, therefore, content himself with the declaration of his opinion, that the present system of reporting, when conducted with fairness, was amply sufficient to supply to the public that which was acknowledged on all hands to be so desirable—a representation of the proceedings of that House.

Lord *Althorp* said, that when the hon. and learned Member brought this subject under the notice of the House yesterday, he (Lord Althorp) stated that he thought it one which ought to be passed over unnoticed; but he must admit, that he had also added, that in his opinion it was essential for the interest of the public that the debates in that House should, as far as possible, be impartially reported. He confessed that, in common with his hon. friend, he regretted the course pursued by the hon. and learned Member; and he thought it was likely to lead the House into considerable difficulty. But he must also admit, that if the hon. and learned Member was determined to persevere in his Motion, it was hardly possible—it was impossible—for the House, consistently with a due regard to its own privileges, to reject it. He confessed, if he had been in the place of the hon. and learned Member, he should have treated the matter as unworthy of attention; but this was a question on which the hon. and learned Member must judge for himself, and he having brought under the notice of the House that which must be acknowledged to be a breach of privilege, he (Lord Althorp) did not see how it was possible for the House to avoid agreeing to the Motion submitted to it.

Motion agreed to.

Borough of Warwick Election.] Mr. *O'Connell* rose to call the attention of the House to another breach of privilege. The Report of the Committee appointed to try the merits of the return for the borough of Warwick implicated a nobleman, the Lord-lieutenant of the county, in a breach of their privileges. He wished to inquire what course his Majesty's Government intended to pursue in relation to this transaction?

Lord *Althorp* said, that the Report of the Committee appointed to inquire into the transactions which took place at the Warwick election, did certainly contain charges of a serious nature as affecting the privileges of that House; but before he stated what course the Government had pursued upon the subject, he was anxious to correct a misapprehension which existed in the public mind with respect to the conduct pursued by Government in regard to Lords-lieutenant of counties. It was known that Government had frequently been accused of allowing noblemen and gentlemen to remain in the situation of Lords-lieutenant of counties, whose political opinions and conduct differed materially from their own. As far as his recollection went, the office of a Lord-lieutenant of a county had never been considered as a political office, and persons in that situation were not appointed solely in reference to their political opinions, nor removed generally in consequence of their political conduct. He knew there were exceptions to this rule. Two instances had occurred in his time, and one or two before, of Lords-lieutenant having been removed for their political conduct; but he appealed to those with whom he had always acted, whether they did not express their strongest disapprobation of the course which the Government pursued in those cases? Having taken this opportunity of stating his views on this question, namely, that noblemen and gentlemen filling the office of Lords-lieutenant should not be removed from their situation in consequence of their political opinions, he would now advert to the case to which the attention of the House had been particularly called. He admitted that that case was a very different one from the case of a Lord-lieutenant merely differing from the Government in political opinions. Here it was not a question of difference of political opinions, but of a Lord-lieutenant interfering, as was alleged, with the privileges of that House. He certainly was ready to admit that this was a most serious charge, but inasmuch as it affected severely the character of the noble Lord in question, so much more necessary was it to give that noble Lord an opportunity of explaining his conduct. This was the course which his Majesty's Ministers had determined to pursue, and a letter either had been, or would immediately be, written to the Earl of Warwick, stating what the Committee reported against him, and calling on him for an explanation, in order that the Government might ascertain whether it were necessary or desirable to take any further steps in the matter.

East-India Company's Charter.] Mr. *Cutlar Fergusson* rose to present a Petition from the India Company against certain clauses of the Bill, which materially affected their interest. The Petition had been agreed to at a meeting of the proprietors held this day. This might be a matter of perfect indifference to hon. Members; he believed the House and the Press regarded it with equal indifference; but he expected that Members would give that attention which they were bound to give to petitions presented to that House. In the unanimous judgment of the petitioners, who were charged with the Government of India, and all the responsibility of that government, the change in the local governments would cause such an alteration in the constitutional administration of India as to transfer to the Governor General all control, while all responsibility would rest with them. They complained also, that the proposed increase of the Ecclesiastical Establishment would cause an additional expense of 60,000 rupees a-year. These matters were forcibly stated in the petition, but owing to the impatience of the House he would not read it. He had given his vote in favour of the Episcopal Establishment, on an express assurance from his right hon. friend that no additional expense should be incurred. But it now appeared that very great additional expense would be imposed. He hoped his right hon. friend would not object to a Resolution that there should be no additional expense. The petitioners objected also to the clause of the Bill respecting Haileybury College, in which they were more interested than any other body of men could be. They were unanimously of opinion that that Establishment was totally unnecessary, and that its maintenance would cost an additional sum of 10,000*l.* a-year. The hon. Member concluded by presenting the petition of the Company, praying the House to modify and alter the Bill in such a manner as to meet the objections they had stated, or that the petitioners might be heard by Counsel at the Bar.

Mr. *Charles Grant* moved the Order of the Day for the third reading of the East India Company's Charter Bill.

Mr. *Cutlar Fergusson* moved, as an Amendment, that Counsel should be heard at the Bar in behalf of the Company pursuant to their petition.

Mr. *Hume* seconded the Amendment. The Company were parties to the Bill, and their interests were materially affected by it. Nothing could be more reasonable, therefore, than that they should have an opportunity of stating their objections to particular parts of it. He hoped the right hon. Gentleman would have no objection to Counsel being heard.

Mr. *Wilks* said, it would be inconvenient if Counsel were to attend on every occasion to support particular principles or private interests; but where such extensive interests were at stake, he considered it only fair to the proprietary that they should be allowed to state their objections to a measure by which their property was to be affected.

Mr. *Robert Grant* said, that if he could agree with the hon. Gentleman who had just sat down that those great interests would sustain any injury if this Motion were not agreed to, or with his hon. and learned friend, and the hon. member for Middlesex, that by acceding to it the question might be discussed upon any new grounds which had not yet been brought forward, and that it was essential to a just decision that such should be the case, he should cordially assent to the proposition. But, as the case stood, he felt bound to oppose it. The whole question had been discussed so fully that it was not necessary to have any legal explanation at the Bar. The Company had it in their power still to recede from their bargain. They were not bound by what had passed. Why had they not petitioned before? They had ample time, and at this advanced period of the Session he felt it his duty to oppose the Motion.

Mr. *Buckingham* contended, that it would be more wise to agree to the Amendment, for should the Company reject the Bill upon just grounds the labours of the Parliament would have been thrown away.

Mr. *Macaulay* opposed the Amendment. The fundholder might as well petition to be heard against any particular Act, because, in his opinion, it affected the national credit, and therefore, injured his security. Besides, the petition ought to have been presented before.

Sir *Richard Vyvyan* said, he thought the Company was to be regarded not merely as a contracting party, but as the body to whom the Parliament were again about to delegate the government of India. Surely, then, such a body ought to be heard upon such a subject, and the House ought not rashly to reject the Amendment.

Colonel *Evans* said, the question was not one of right, but of expediency. He supported the Amendment.

Mr. *Cutlar Fergusson*, in reply, contended, that the Company could not have petitioned before. His right hon. friend (Mr. Grant) had given no reason for the rejection of his Amendment, and he should, therefore, take the sense of the House. He was greatly astonished at what had fallen from the hon. and learned member for Leeds. That hon. and learned Member had compared the East-India Company with fundholders petitioning against a measure they conceived injurious to the national credit. There was no truth in the simile. The East-India Company were to be the governors of India, and they declared that the provisions of the Bill, under which they were to govern, were highly injurious. Hitherto he had spoken as a Member only, and not as a Director, and had advocated points the body of the Directors deemed injurious; but they ought to be heard.

The House divided on the original Motion: Ayes 100; Noes 30—Majority 70.

List of the NOES.

Attwood, M.
Barnard, E. G.
Beauclerk, Major
Bish, T.
Briggs, R.
Brocklehurst, J.
Brotherton, J.
Bruce, Lord E.
Buckingham, J. S.
Bulwer, H. L.
Evans, Col.
Finn, W. F.
Gillon, W. D.
Hudson, T.
Hume, J.
Irton, S.
Jephson, C. D. O.
Lister, E. C.
Lyall, G.
Pease, J.
Ridley, Sir M. W.
Ruthven, E.
Ruthven, E. S.
Torrens, Col.
Vigors, N. A.
Vyvyan, Sir R.
Wason, R.
Wilks, J.
Young, G. F.

TELLERS.

Fergusson, R. C.
Sheil, R. L.

The Order of the Day was read, and the Question put, that the Bill be read a third time,

Sir *Robert Inglis* said, he would avail himself of that opportunity to make some few observations on particular branches of the general question, which an unwillingness to intrude at an earlier stage prevented him doing. With any remarks upon the general question, as to how far the alterations which the Bill established were expedient, or otherwise, he would not trouble the House, because he felt they could not now affect the measure; and as they could not affect it, he was unwilling to take up more of the time of the House than a sense of what was due to himself demanded. The first part to which he would advert was the question as to the abolition of slavery in India. That was a question which he need not characterize as of the highest interest to the people of England, and of the deepest and most vital importance to the general interest of the Indian population. Such being the case, it was with regret, not free from alarm, that he found in the Bill no exposition, not even a general one, of the nature of the system by which it was intended that the abolition of that slavery should be effected. Not only was the subject excluded from the details of the Bill, but the House had been called upon by Government to assert the principle that slavery should be abolished, without the smallest clue to the machinery by which that end was to be attained being afforded them. Some idea of it might perhaps be collected from the information on the Table of the House; but it was not every Member who could spare time, even if inclination was not wanting, to wade through that mass of information, extending to some thousand folio pages, for the purpose of ascertaining what ought with ease to be detailed in a few minutes. On the whole he thought the details of the system ought in some shape or other to be brought under the notice of the House before it was called upon to sanction the last stage of the Bill. With regard to the judicial system which the Bill would establish in India, he could not avoid remarking that the House had not given it that degree of attention or that consideration which its importance so well merited. The only evidence on that head which was in the possession of the House consisted of a series of Reports, the fiftieth part of which it was improbable fifty Members had perused. Again, with regard to that important matter, the religion of the Indian people, the indifference and apathy of the House had been shamefully manifested. It had been indeed truly observed by the right hon. Gentleman, the Vice-President of the Board of Control (Mr. Macaulay), that a broken head in the streets of London would bring together 300 or 400 of the Legislators of the country, while a question involving the interests of an empire even so important as India might be discussed with almost empty benches. Such literally had been the case when the important details of the Bill which related to the religion of the people of India were discussed; forty, or perhaps fifty, Members only being present. He knew well that any attempt on his part to vest that question with any degree of interest at the present late stage of the measure would be useless, and he would, therefore, not make the attempt. But still he felt it due to himself to express in the most unqualified manner his regret at the indifference which the House had manifested to the subject, as well as the alarm he felt that that indifference, keeping in view the importance of the subject, would be attended with very unfortunate consequences. There was one point of great importance, to which it appeared to him sufficient attention had not been paid—he alluded to the improved means of communication. The facility of getting to India by steam navigation by way of the Red Sea and by the Euphrates, was a matter deserving the serious consideration of the Legislature. It might not be generally known that extensive inquiries had been carried on with respect to the manner in which the communication between India and England might be most safely and expeditiously carried on, and there now existed a mass of information, which would enable the House to come to the consideration of the subject, better prepared than it could have been at any former period. The passage by the Euphrates opened an almost uninterrupted communication between England and India by water, with the exception of twenty hours' journey by land from Scanderoon; and it appeared that the whole passage might be accomplished in forty-three days. It was necessary that the Government should pay attention to the influence of Russia along the line of the Euphrates. We had greatly neglected the frontier policy on that side of our Indian empire. Mr. Canning committed a fatal error when he withdrew the King's Representative from the Court of Persia, and gave over that kingdom to the care of the Indian Government; thus lowering the channel of our intercourse, and diminishing the national influence in Persia, while the Russian emperor maintained a direct Representative there. Whatever, as he had often said, was a great object with France, or with any other power, hostile or rival to us, ought to have been equally a great object with ourselves; and we ought not to forget how frequently this line of attacking the English possessions in India, had been in the contemplation of other powers. Whatever, then, pre-occupied and secured a direct and rapid communication between England and India, was most important for the maintenance of our empire in Asia. Another subject, but on the opposite quarter, connected with the due administration of the Indian empire was, the encouragement which ought to be given to the great commercial *entrepôt* of Singapore, founded by that great man, Sir Stamford Raffles, which had more than realized the expectation of the founder. He believed that when Sir Stamford Raffles established the colony, the island did not contain more than 2,000 inhabitants; but within a year that number swelled to 10,000, and they had carried on an extensive, flourishing, and yearly increasing commerce. The manner in which the East India Company neglected the services of this distinguished individual, was almost the only act of that body in latter years, which he had found occasion to condemn. The conduct of Sir Stamford Raffles with respect to Singapore, putting Java out of the question, ought to have entitled him to the gratitude not only of the East-India Company, but of the whole empire. Another subject of great importance was the question of our trade and relations with China. He knew how little interest was excited by India; and much less by China. Indeed, in proportion to the distance, was our indifference; and vicinage was the chief element of sympathy. Some writer had said, that it would give a man of tolerable humanity more distress to be told that his own little finger was to be cut off to-morrow morning, than to hear that the whole empire of China had been swallowed up by an earthquake. In the one case he would perhaps lie awake; in the other, he would only think that he would lose his tea. Without, therefore, hoping to attract any interest to this part of the general question connected with the Bill, more than to any other part, he still felt that he ought not to neglect an occasion of condemning the mistaken view, adopted and propagated by the King's Government on the subject of our future intercourse with China. Papers had been laid upon the Table of the House, in compliance with a Motion made by him, the contents of which justified him in stating, that the hopes which his right hon. friend, the President of the India Board, held out, in his communication with the Court of Directors, and in his address to this House, with respect to the opening of the trade with China, would not be realized. He was aware that he should be told that a similar opinion was expressed in 1813, with respect to the opening of the trade with India. It certainly was then said, that no increase of our commerce would take place in consequence of opening the private trade; and he must admit that that prediction had not been verified; but the distinction between the two cases was obvious. In India, we possessed sovereign power, whilst in China we were strangers, scarcely permitted to touch the soil. The Chinese Government had, with singular pertinacity, for centuries excluded Europeans from all the ports of that empire except Canton; and when he found that the right hon. President of the Board of Control, in his correspondence with the Court of Directors, spoke of establishing a colony in the dominions of the emperor of China, for the purpose of regulating British trade, and that the same proposition was embodied in one of the clauses of the Bill with as little ceremony as if the subject were the establishment of a Custom House officer in the Isle of Wight, he certainly was not a little astonished, and thought that they were about to legislate without sufficient knowledge of the subject. He knew it would be contended that the Government of Bengal could, by its reflected influence and power, cripple the Chinese Government. It was true that China had, during the last twenty-years, become dependent on Bengal for a supply of opium, from which the Chinese government derived a considerable revenue, but he was perfectly satisfied that they would sacrifice that advantage rather than abandon their system of excluding Europeans from all their ports excepting Canton. It could not be denied, that the Chinese government had the right of excluding us from their territories, although some persons assumed, because we admitted the Chinese into our Indian Empire, we were entitled to admission into theirs. It should be recollected that Paraguay was, as it were, hermetically sealed, not only against Europeans, but against its more immediate neighbours, and the principle of international law, which prevented us from forcing an entrance into that territory, would also prohibit us from violating the regulations of the Chinese. What was technically called the Chinese monopoly had been abandoned by the Court of Directors, not because they had been convinced by the arguments of the right hon. Gentleman opposite, but because they found it impossible to resist his power. He should never cease to regret that whilst the Government had determined to open the trade to China to all commercial adventurers, they had abstained from allowing the Company a concurrent right of trading. He could not help lamenting, that the noble marine employed by the Company, consisting of some hundreds of thousands of tons of British shipping, the largest ever used in commerce, was now to be broken up. When, two years since, people spoke of the trade to China being thrown open, merchants never contemplated that the East-India Company would not be allowed at least to compete with them. He feared that the hopes which had been excited by the right hon. Gentleman's statement as to the benefits which would result from the opening of the China trade would prove perfectly illusory to the great mass of the people, while it would be destructive to the revenue. He felt that the continuance of the trade itself might be risked by the want of a just authority over the Europeans who might approach the shores of China, and whom the Government might, in self-defence, be obliged to expel. If, even under the rule of the East-India Company, such a voyage as that of the ship *Amherst* could have been undertaken against the laws of China, how many other attempts would be made to violate those laws, when the restraints imposed by the authority of the East-India Company should be wholly removed, and when every English stranger might, by his own devices, endanger the whole commerce of his country with China. These were some of the considerations which induced him to pause, before he assented to the third reading of this Bill. Though, as he had already said, on a former occasion, he was thankful to his right hon. friend, for having preserved so much of the India system, which he believed to have been beneficial to the people, yet he had changed too much, and hazarded too much, by what he had done. He knew, however, that the question was already decided; and he would, therefore, only thank the House for the kindness and the patience with which they had heard these observations.

Mr. *Buckingham* said, that he had watched the progress of this great measure with the most minute attention, during every stage and in every detail; and he regretted to be still obliged to state that all his original objections to the Bill remained in full force. He had listened with attention to all the arguments adduced in favour, or rather in palliation, of many of the objectionable parts of the Bill, but he had heard nothing to justify them; and as the time had now arrived, when, passing from the details to the general principle, it was consistent with the forms of the House, on the Motion for the third reading of the Bill, to review it as a whole, he would avail himself of that opportunity to state the grounds of his objections to the principle features of the Bill, and of his approbation of those few parts of it, in the justice of which he fully concurred. His first and greatest objection to the Bill was, because it confided the political government of an immense empire, to the

Directors of a Joint-stock Company, whose interests were merely those of proprietors of India stock, anxious chiefly to secure the permanent payment of their dividends; but, when that was attained, having no interest whatever in the advancement of the welfare and happiness of the people —which he had ever contended, and would still maintain, was the only legitimate end of all government. In saying this, he did not mean to impute anything to the Directors of the East-India Company, more than to any other individuals similarly circumstanced. His objection was not to the men, but to the system, and to that alone. As private individuals, the Directors generally were men of honour and integrity; but the acts done by them in their collective or corporate capacity were such as many, even of their own body, disapproved. Of their civil and military servants in India, he entertained the highest opinion; and he believed that there were no two classes of public servants in any country under the sun, in which, among an equal number of persons, were to be found a larger amount of knowledge, talent, public spirit, and liberality. But the system that they administered was such as they themselves generally disapproved; and he believed that no stronger testimonies were to be found against that system, than among the evidence tendered by those very servants themselves. The King's Ministers should have taken the direct administration of the Indian government into their own hands, and added to their councils, if it were necessary, the men of talent now belonging to the East-India Direction. This would have been manly and open; as they would thus have taken upon themselves the full responsibility for the right or wrong administration of Indian affairs; from which they now shrunk, by taking shelter under the cloak of the Company—and, while exercising an indirect control, leaving to them the full accountability for the consequences. They ought also to have made some provision in the new arrangement, for the admission into the Supreme Council in India, of some few representatives of the British population in India as well as of the natives, in order to make a beginning, at least, of that system of self-government, to which they ought to advance all our colonies as fast as possible. It had been well observed by the hon. Baronet who spoke last (Sir R. Inglis), and by the hon. Secretary for the India Board, (Mr. Macaulay) that the most trivial accidents occurring in England excited more attention in that House, than the most important events occurring in India. It was a law of our nature, that what happened near to us affected us most deeply; and that in proportion as the scene of action or of suffering became remote, the events occurring there gradually weakened in their impression. What did this teach us, but this grand political truth, that self-government was the interest as well as the duty of all countries, and that in proportion as we narrowed the sphere of rule, would be the guarantees for just administration? Yet the Bill departed wholly from this principle; it gave no representatives of either the British or native population to the Supreme Council in India; while it left the general policy of the government to be directed, not by the parties most competent to judge of existing circumstances on the spot—but by four-and-twenty Directors, sitting in Leadenhall-street, at a distance of 10,000 miles from the country for which they legislated; and these again checked and overruled by a Board of Control sitting in Westminster, and each subject to the supervision of both Houses of Parliament besides. Instead of this cumbrous and complicated system, he conceived that India should be prepared, as speedily as possible, to govern itself; and it was because he thought the retention of the Company, as the rulers of India, would retard, rather than advance, this desideratum, that he objected to this great feature of the Bill. Another part of it, which seemed to him equally objectionable, was this—that it burthened the natives of India with the interest of a debt, in the contraction of which they had no share whatever; and which had, indeed, been created out of their own wrongs. In England, there was at least a colourable pretence for burthening the people with the interest of the national debt, as the constitutional assumption was, that it was contracted by the representatives of the people in Parliament, and expended in defence of the rights and liberties of the nation. But the debt of India had no such origin or end. The people there had never been represented in any way, nor even consulted as to the debt contracted; and instead of their rights and liberties being defended by the expenditure out of which it arose, the very reverse was the case. The debt was incurred during expensive wars tending to their own subjugation; so that they were not only robbed of their country, plundered of their wealth, and reduced by foreign subjugation to a state of helpless misery, but they were now called upon to pay the interest of the debt thus contracted for their conquest, as this was to be charged upon the revenues of India, which came entirely from the taxes levied on the native population. He conceived this to be a violation of every principle of right and justice; and against it he would solemnly protest. There might be differences of opinion as to whether the necessity of raising the loans, which now constituted the debt, arose from territorial or commercial mismanagement; but, whether from one or both, and in whatever proportions of each, it must be clear that the natives of India had no share whatever in the production of the evil; and since a long train of families and individuals had come home from that country laden with its spoils, and thousands, now in England, were living in opulence on fortunes acquired at the native Indians' expense, it did appear to him the most monstrous injustice to charge upon these natives the additional wrong of paying, from the produce of their soil, the taxes necessary to meet the interest of a debt contracted for their own subjugation, and continued for their own wrong. He might be asked—would he then have such debt, to the extent of 40,000,000*l.* sterling, remain unpaid?—and his answer would be, that this was the East-India Company's own affair. Let those who had contracted the debt, and those who were enriched by it, pay it, if they could; but let not those whom it had already impoverished be called upon to pay still more. Let the Company dispose of all its property, and pay all its engagements; and if loss accrued to them by so doing, the many years of plunder and profit they had enjoyed, should be set off against it; and they should share the fate of any other mercantile concern; for up to this period they had been nothing else. In addition, however, to the injustice of making the people of India pay the interest of the Company's debt, as long as it remained unredeemed—that is, the interest of 40,000,000*l.* sterling for forty years — there was the additional injustice committed by this Bill, of making the English people pay for the redemption of the principal; as the British Legislature had made it the condition of taking the government of the country into their own hands, forty years hence, that the British nation should pay to the holders of East-India stock 200*l.* sterling, for every 100*l.* originally embarked by them in the concern; and in the interim secure to them the enormous interest of 10*l.* 10*s.* per cent, at a time when the common interest of money was not more than one-third of that rate. As if our own 800,000,000*l.* of debt were not enough, we were now to contract a new debt of 20,000,000*l.* for the West-Indians, to purchase a freedom which ought not to cost a single shilling; and charge ourselves with an obligation to redeem an old debt of 40,000,000*l.* for the East-Indies, as the purchase of a lease which was within a single year of expiring in its natural term; and for the cessation of which, therefore, we ought not to have been called upon to pay any thing whatever. Again, independently of the pecuniary burthens thus gratuitously thrown upon the country, let the House look upon the enormous powers which this Bill gave to the Supreme Legislative Council in India. Hitherto it had been the consolation of the British inhabitants of India, that the arbitrary power of the Governor-general was under some degree of restraint from the control of the King's Courts; for though the Governor-general in council might make any regulations he pleased, binding on the natives of India, beyond the jurisdiction of the Supreme Courts, yet for the British inhabitants he could make no regulations that should have the force of law unless they were registered in the King's Courts; and that would not be done if they were repugnant to the spirit of the British Constitution. Now, however, by the unlimited power given to the Legislative Council of India, composed only of five persons, and these neither elective nor responsible in any degree to the British or Indian community, any regulation might be passed, without the sanction of the King's Courts; the Trial by Jury, the Liberty of the Press, the *Habeas Corpus*, and every other constitutional safeguard of liberty, might be suspended or abolished without appeal or without redress. A regulation might be passed, declaring that the mere publication of any newspaper, or the expression of any opinion whatever on public affairs, should be a transportable offence, with confiscation of property; and all that would be necessary in such case would be to prove the fact of such publication and such comment, and sentence might be legally carried into execution forthwith. He really conceived this to be a most unwarrantable delegation of uncontrolled power, which would place the British inhabitants of India in a far worse condition than they were under the old monopoly; and, on that ground alone, he thought the Bill would be reprobated by all parties in India. The limited right of settlement which it gave to British subjects in India, was another great defect of the present Bill. It was remarkable how fondly legislators seemed to cling to the remnants of ancient abuse, and how unwilling they appeared to be to reform all at once, an evil, even when admitted to be such. Evidence of the most valuable kind had been read to the House by the right hon. the President of the Board of Control, in favour of colonization; and the ablest of the Company's own servants admitted, that it was to the settlement of Europeans in India that we were to look chiefly for its improvement. The Bill, therefore, opened all the older provinces to such settlement, but it shut up the new ones, and prohibited all entry into these, except through the licence of the local government. Could anything be more absurd than this? It was admitted that colonization, wherever it had been yet tried, had produced the best effects; that where English planters had cultivated the earth, there the greatest improvements had taken place both in the quantity and quality of its products. It had been admitted that wherever the English settlers had longest inhabited, there the kindliest feeling existed towards the natives, and the greatest harmony and friendship reigned between them;—so that in Calcutta, Madras, and Bombay, we saw Hindoos, Mohammedans, Parsees, and others, joining hand in hand with Europeans, in the formation of Bible Societies, School Societies, agricultural, and other associations, and by becoming better acquainted with each other, learning the more easily to admire each other's virtues, and to forgive each other's defects. Who did not remember the time, not many years ago, when the commonly received notion prevailed, that the people of England and the people of France were natural enemies; and that true patriotism demanded of each they should hate and make war upon the other? That notion was now happily exploded; and instead of the feeling of national antipathy, now universally reprobated, the most cordial and friendly feelings existed between the natives of England and of France. And why? Simply, because by the more familiar intercourse between the two nations, which the long continued peace admitted, both had been brought to see the merits of each other, and finding that all their evil qualities had been magnified, and their good ones diminished, by distance and separation—they now oscillated perhaps to the other and at least more amiable, extreme, of giving each other credit for more than theydeserved; and thus living on those terms of cordial good-will which mutual esteem was sure to generate, and to maintain. It was the same in India, as it would be, indeed in every other country where the experiment should be tried. The contempt felt by the English for the natives was always the greatest in the new settlers; but this gradually abated, and changed at last into esteem, by mere length of residence and intercourse. The disinclination on the part of the natives to mingle with the English, was always the strongest in those provinces where they were fewest and least known; but this feeling also gradually abated, and at length changed into a strong desire to associate with them, as intimately as possible, by mere length of intercourse. Now, as this was a fact, which no one would venture to dispute, he put it to the House, whether it was not, therefore, of the utmost importance to encourage rather than dissuade the English from settling in the remoter provinces?—whether facilities for such settlement ought not to be granted, rather than obstacles be thrown in the way?—and whether the largest field of operation for mutual and reciprocal benefit to both parties, was not to be found in the very provinces from which, by this Bill, Europeans were to be excluded, except by a licence from the Local Government, which might be given or withheld at their pleasure? He had given his utmost attention to this subject, and he could not conceive any good reason why the whole of India should not be as safely opened, as any particular part of it, to the settlement of British subjects. The only motives which were likely to induce settlers to go out from this country, would be a desire to improve their fortunes, by entering into agricultural or mercantile undertakings. And surely it might be left to the parties themselves to determine whether it would be most for their own interests to settle in the old provinces or the new, making them, in each, subject to the same general laws: for whatever legislation might be deemed sufficient to maintain the peace and security of the one district, would be equally effectual for another. Besides, was it not the interest of the individual who should go into any of the provinces to buy and sell, whether the object of his purchase or sale should be land or agricultural produce, or manufactured goods—would it not be to his interest to be upon the best terms with those by whom his profits were to be made? Neither buyers nor sellers usually began by insulting those with whom they dealt. It was the interest of each to put the other in good humour, and that interest might be relied upon as a sufficient guarantee for their pacific and friendly conduct. In the remoter provinces, the English had been hitherto known only as conquerors living upon the spoil of the land, draining it of its wealth, and giving nothing in return. But let the English appear as capitalists and merchants, to give money for land, and manufactures for agricultural produce, and the natives would flock around them as benefactors, instead of shrinking from them as invaders; and mutual interest begetting mutual confidence, the most friendly feelings would be engendered; from whence again would flow the gradual spread of information, morals, religion, and all those wise and benevolent institutions which characterize a land of civilization, and progressively overcome and ultimately extinguish every remnant of ignorance, superstition, slavery, and barbarism. He came next to that part of the Bill, by which an increase of the Church Establishment was to be made in India; and the burthen of its maintenance thrown on the Hindoos and Mohammedans—a measure which constituted another of its many great defects. The grounds upon which this increase was defended by the India Board, appeared to him to be utterly untenable. The hon. Secretary of that Board (Mr. Macaulay) had defended it on the ground, that as the British Government in India paid for the support of the Hindoo and Mohammedan places of worship and priesthood, it was but fair that they should also pay for the support of the Protestant Established Church. But the fallacy of this lay in considering it to be the English Government, and not the Indian people, by whom these payments were actually made. The Government, it was true, was the party that made the grants, but it was the people who furnished the money out of which these grants were made. To speak correctly, then, the hon. Secretary's (Mr. Macaulay's) defence should be expressed thus:—Whereas the Christian Government of India derive their entire revenue from the monies paid them by the Pagans and Mohammedans of Hindoostan, and out of this revenue appropriate a portion for the support of the several religions in which they respectively believe; which is merely compelling them to pay for the support of their own temples and their own priests; therefore, it is also just to appropriate a portion of the same revenue to the support of Protestant Bishops, and other clergy of Episcopal Christianity, in which they do not believe; though this is compelling them to pay for temples and priests which are not their own, and which they regard with abhorrence. The House was hardly prepared perhaps for such an argument as this: and yet, this was the true light in which it stood. The Christian Government of India, much, he thought, to their shame, received the revenues of the Pagan temples, in the shape of fees for performing the most obscene and revolting rites; and out of these revenues, they paid the Pagan priests, the priestesses, the dancing girls, the prostitutes, and all the unutterable abominations flowing from so corrupt a source; and not content with this polluting participation in the guilt of idolatry, they actually transferred the surplus to their coffers, which were thus filled with the lucre of unholy gain. And this was a system defended by the existing Government, and made a pretext for burthening India with a Christian hierarchy, for which these already priest-ridden natives of India were called upon to pay! It might be said, indeed, that it was no more a hardship to make them contribute to the support of an Established Christian Church, than it was to the payment of an English army, or an English Civil Service and he confessed that he thought it was most unjust in us to make them pay for either; as we had taken their country from them by force, without the least shadow of right, and were now compelling them to pay us for the wrongs we had thus heaped upon them. But there was at least this difference: an army is useful to the security of person and property, when it is maintained merely to keep the nation free from foreign invasion. A Civil Service is useful and valuable, when it is employed in wisely administering public affairs, and maintaining internal peace. The Hindoos and Mohammedans, being participants in these benefits, might surely be asked with more fairness to contribute to their support, than to pay for the temples and the priests of what they deemed a false religion; and be thus compelled to hasten, according to their view of the case, their own eternal destruction. The wrong done to the Catholics of Ireland, by compelling them to pay for the Protestant Church Establishment, though both are branches of one great religion, Christianity, has been deemed an evil: and tithes and rates for the Established Church have already been begun to be resisted by Dissenters in England. But what would be said by us, if, in the event of a conquest of our country by Hindoos and Mohammedans, they were to increase their establishments of pundits and moollahs, and force the Christians to pay for them? Or if the celebrated Bramin, Ram Mohun Roy, now in this country, were to set up a Pagan shrine, and levy contributions on the Christians of England for its support? Yet this was exactly what the Bill would do towards the natives of India: and, therefore, upon the true Christian principle, of doing unto others what we would they should do unto us, he should feel it his duty to resist so great an injustice. Another ground of defence had been taken up for the proposed increase of Bishops in India, which was this; it was contended that the diocese was too extensive for the personal inspection of any one man: and that the preceding Bishops had all fallen victims to excessive labour, and extensive travelling, in the execution of their duty: so that it now became necessary to increase their numbers. He denied the fact entirely. Having been in India at the period of the death of the first Bishop, Dr. Middleton, he could testify that his death arose from an imprudent, but totally unnecessary, exposure of his person to the sun, while resident at Calcutta; and was not in the remotest degree connected with either excessive labour or extensive travels. Succeeding Bishops, who had travelled, had undoubtedly lost their lives in quick succession: but so also had King's Judges, in equal numbers, and in equal rapidity, though all of these were stationary at Calcutta, and never moved a mile from their residencies or the Court. Extensive travelling in India was rather favourable than otherwise to health; and the change of air and scene was as agreeable and invigorating to the mind, as it was undoubtedly healthful to the body. The officers of the army were in constant motion, from one station to another; the officers of the Civil Service were never long stationary; and voyages by sea, and excursions by land, such as the Bishops took to visit their diocese, were the very remedies that were continually resorted to by invalids, for the restoration of that health which too sedentary a confinement to one spot frequently impaired. On that ground, therefore, there was no necessity whatever for increasing their numbers. Some had thought, however, that as the orientals were much impressed by pomp and rank, there was something in the dignity of a Bishop which would have an imposing effect upon the natives of India, and win them over to Christianity. No mistake could be greater than this. This conversion of the natives to Christianity could only be effected by that familiar intercourse with them to which Bishops would never be likely to condescend. If they travelled, it was in a luxurious palanquin, borne on the shoulders of men, with umbrellas on either side to shield them from the rays of the sun; and a long retinue of pomp and state, which rendered the approach of the humble native, except in some menial capacity, wholly impossible. If they remained at home, they resided in a palace, receiving as companions only Europeans of the highest rank, and were just as inaccessible to the natives in their houses, as they were in their cathedrals: and, therefore, no converts had yet been made, or were likely to be made, through the instrumentality of the Bishops. The true instruments of conversion were the humble but zealous Missionaries, who, animated by a fervent and inextinguishable zeal, would go into the villages, invite and draw near to the people—converse with them in their own tongue, and endure sufferings and privations, to which no Bishop, archdeacon, or other dignitary of the Church would ever submit: and indeed it was by the Missionaries at Serampore, and in other parts of India, that whatever good had been already done in the way of education, or moral and religious improvement, had been wholly effected. The course was a very plain one, if the Ministers would only have the courage to adopt it. It was this: that every religion should be supported by those who believed in it, and who, on that ground, would be willing to give it their aid. If the Members of the Church of England in India wished to have an increase of Bishops, let them be sent out, and those who called for them might fairly be left to pay for their support. If the Presbyterians and the Catholics wished an increase to their teachers, let them do the same. It was in this manner that Christianity was supported by the voluntary aid of its believers in the Apostolic age: it was, in this manner, that Christianity among the Dissenters of England was supported now: and it was his conviction that the nearer we approached to the truly Evangelical Spirit of the New Testament, and made its practice, as well as its percepts, the model of our imitation, the nearer we should approach perfection, and the sooner we should accomplish the great end of spreading the truth over every region of the earth. We should be careful, however, not to introduce even the germ of Hierarchy into India; for in that prolific soil, though its first particle should be as small as the mustard seed, it would spread into a tree, large enough to afford shelter by its branches to all the fowls of the air. As an illustration of the manner in which the spirit of a dominant Church had already evinced itself in India, he would mention this anecdote. About the period of his first arrival in that country, a Presbyterian chapel was just about to be built in Bombay, the service having been previously held in the Court House there; when, a question arising about crowning the edifice with a steeple, Bishop Middleton protested against this, on the ground that Dissenters had no right to steeples, which were the distinguished characteristics of the privileged or Established Church; and maintained an obstinate controversy on this point; and that, too, in a country where the Hindoos might build pagodas till they touched the moon, and the Mahommedans might elevate their minarets till they lost their summits among the stars, as far at least as any Christian Bishop concerned himself about the matter; and in a community where the greater portion of the British-born subjects were either Irish Roman Catholics, or Scotch Presbyterians, or English Dissenters, who collectively formed a much greater number than the Members of the Episcopalian or English Established Church. He repeated then his assertion, that the religion of the New Testament was conceived in a different spirit from this; and that the nearer we approached to the purity, economy, meekness, and piety of the Apostolic age, the greater would be the probability of our enlightening, moralizing, and christianizing, the whole Eastern world. The last defect of the Bill that he would notice was this; that notwithstanding that the two great evils under which India laboured, were—first, excessive taxation, which ground the natives down to the dust, and deprived them of all physical enjoyment, by making existence so miserable as to be a burthen in itself; and—secondly, excessive ignorance, which rendered them the prey of superstition and all its odious vices: yet the Bill was wholly silent on the two great remedies—of relief from fiscal oppression, and the spread of education—without both of which, no improvement could be hoped for in their unfortunate and miserable condition. He was glad to hear the right hon. President of the India Board say, that the subjects of infanticide, and other human sacrifices still prevalent in India, were under consideration, and he hoped that in this case the term would not be found a mere official evasion, without a sincere intention of coming to any speedy conclusion, but that the consideration would be pursued closely, until all these murderous rites and revolting abominations should be altogether abolished. Having now stated his principal objections to the Bill, it was but right that he should do justice to those parts of it of which he heartily and entirely approved, and which he had left for the last, as the most agreeable part of his duty to perform. The opening of the commerce between Great Britain and China, including a free access to all the rich and populous regions of the further East, was a measure of strict justice and of sound policy; and so far was he from concurring with the hon. Baronet, the member for the University of Oxford (Sir Robert Inglis) that little or no advantage would result from this—that he believed there was no single act of the Legislature that had been passed for the last twenty years, which was calculated to afford a greater and more substantial relief to the manufacturing, mercantile, and shipping interests of this country, than that opening of the Eastern Seas to British enterprise, now for the first time granted by this Bill. He would content himself with this general assertion now; but as there was another Bill before the House relating specifically to this trade, he would reserve the particular grounds on which he rested his expectations of benefit from it, until the provisions of that Bill should come regularly under discussion. He approved also, most cordially, of that part of the Bill which opened all the old provinces of India to the British settler; and his only regret was, that this opening had not been also extended to the new; because there was nothing which was calculated so rapidly and so powerfully to develope the rich resources of India, and make her people wealthy, civilized, and happy, as this colonization of its vast interior with British settlers of capital, science, skill, and industry, combined. Above all, however, he approved of that great admission in the Bill, which recognized, for the first time, the political rights of the native population, which opened the door for their admission into office; and which, by elevating them in their own dignity, would enable them the better to elevate their children, and these again their future offspring, until every succeeding generation should have greater and greater cause to bless the hour when the first step was taken towards their political advancement, and gradual but certain emancipation from the treble yoke of foreign subjugation, fiscal oppression, and degrading superstition. He rejoiced in the recognition, by this House, of the great principles for which he had contended in India fifteen years ago—for a persevering advocacy of which he had incurred the displeasure of the ruler of that country, and had been not merely banished from thence without a trial, but had been ruined by the confiscation of all the property he left behind him. And for what?—Why, for having been somewhat in advance of the age and country in which he lived; for having given utterance to truths in India, which were now recognized as sound maxims of legislation in England; for having contended, that the supremacy of the law was superior to arbitrary rule—and for demanding for British subjects in India that protection of person and property, and that freedom of opinion, which was safely conceded to them in their native land. He had lived to assist in this great work, as a legislator of that country to which India had returned him, as too liberal and too free for her then existing Government: and when he looked back on all the sufferings she had endured, and the obstacles he had overcome, in the long interval that had now elapsed—a review of the progress which the cause he advocated had constantly made, till the present moment in which he addressed the House, was at once his pride, his consolation, and his reward.

Mr. *Hume* expressed his regret at the absence of proper provisions relating to the administration of justice. If it was desired to make the natives attached to the Government of this country, there ought to be a provision for allowing them to sit in the Councils of India. There ought, at least, to be one native in each of those Councils. Most of all he regretted that the Bill did not communicate to the natives the right of sitting upon Juries, a circumstance that would materially tend to elevate the national character. They were as well entitled to that as the people of Ceylon. The documents already on the table showed the great improvement among the natives of Ceylon, in consequence of the beneficial change which had been made there; and as one proof of it, he would mention that, within three years, the inhabitants had volunteered the abolition of slavery. At one period, the right of sitting upon Juries was given in Madras—he alluded to the administration of Sir Thomas Munroe; and he was sorry to add, that, on the arrival of Mr. Lushington, the natives were deprived of the privilege, on the sole authority of the Governor. In order to put this matter in a clear light, he would move, in a few days, for Copies of the Minutes of the Presidency of Madras. He hoped that the Board of Control would use its utmost influence and best endeavours to advance and elevate the character of the native Indians, and to communicate to them, ere long, the privileges enjoyed by the rest of the King's subjects.

Mr. *George F. Young* could not allow the Bill to pass without a few parting remarks, though not upon the general policy of the measure. He was altogether opposed to the East-India Monopoly, but, at the same time, he was desirous that as little injury as possible should be done to existing interests. He thought that some degree of precipitancy had been shown in the formation of the Bill, as far as regarded particularly the trade to China, and he complained of an arrangement made by the Directors, under the sanction of the Board of Control, by which none of the ships belonging to the East-India Company were to be fitted out and employed this season. The consequence was, that the workmen had been already discharged from two great establishments connected with the East-India shipping. He contended, that this step ought to have been taken more gradually, so that such deep and sudden injury should not have been done. At the expiration of the Charter, it ought to be recollected, that not less than sixty millions of pounds of tea would be thrown upon the hands of Government; and how they were to proceed under such circumstances he could not foresee. He even yet hoped, that some modifications might be introduced, and that everything would be done to prevent the measure being carried into effect with unnecessary and impolitic haste.

Mr. *Stewart Mackenzie* said, that much had already been done, by internal regulations in India, to fit the natives for the enjoyment of those privileges which the hon. member for Middlesex was anxious to see too suddenly communicated to them, and to prepare the way for the abolition of domestic slavery. He vindicated the framers and supporters of the Bill from the charge of precipitation, and read the extract of a letter from an officer of a ship, to show the anxious desire of the natives of China to carry on private trade, independent of the East-India Company. He justified the present system of Government in India, on account of its cheapness and responsibility; and, with regard to taxation, every anxiety existed to render the taxation of India as light as possible. Measures were at present both in progress and operation for that purpose.

Mr. *Frederick G. Howard* enforced the fitness of employing natives in different situations, not only on the grounds of economy and efficiency, but because it would tend to conciliate and to give a motive to others to qualify themselves for such posts. He also read an extract of a letter of the Court of Directors, which urged the necessity of attention to the education and moral improvement of the natives.

Mr. *Wynn* did not remember any Bill occupying so much time, and on so important a subject, which had excited so little attention, and created so little interest. He had an objection to the present number of Directors. He thought that in future only eleven should be appointed, and that any reason for continuing them at twenty-four would no longer exist, when the Bill should have become law. At all events nothing ought to be introduced into it which would pledge Parliament to the maintenance of the present number. He should also move, in the next stage, for the omission of the words in the Bill relating to the College of Haileybury, with a view to the substitution of an amendment, the nature of which he had already stated, and which referred to the election of candidates. A clause, providing that a certain number of cadetships should be given annually to the sons of old or wounded officers, he should move as a rider to the Bill. He objected to that part of the measure which rendered it necessary for the subordinate Governments to have the sanction of the Government of Bengal to any alteration, however trifling. He remarked, respecting the communications of the Directors with India, that they were not always to be taken to represent the opinions of that body, as paragraphs were sometimes inserted, even in opposition to the wishes of the Court.

Mr. *Todd* could not allow the Bill to pass without contending for the necessity of admitting East-India sugar and other East-India produce into this country, without those restrictive duties, which, at present, were as injurious to our East-India subjects, as they were injurious to the trader of this country. He would ask, whether it was not sufficient to derive a revenue of 20,000,000*l.* from India, for the support of our Government, our army, and our police? At the same time, he expressed his satisfaction generally at the measure which had been brought forward.

Mr. *Cutlar Fergusson* expressed himself greatly dissatisfied with many of the provisions of the Bill. He objected to that part which gave no opportunity to the Court of Directors of laying before Parliament, when the Board of Control differed from them, their reasons for the course they proposed to adopt.

Mr. *Macaulay* said, they had the opportunity of doing so by petition.

Mr. *Cutlar Fergusson* contended that they ought to have that opportunity without the necessity of resorting to the humiliating mode of petition. He also objected to the system proposed, with respect to the other presidencies being made dependent on that of Bengal. He likewise was opposed to the clause relating to slavery, which, he felt, would be productive of injurious effects. Indeed, that system could be scarcely called one of slavery, which was domestic servitude of the mildest kind. Another part of the Bill to which he objected was that which gave to the Governor-General the power of making regulations for courts of justice in India, by which the Governor might emancipate himself, on any occasion, from their jurisdiction. He should prefer the jurisdiction of the supreme Courts to that of the chartered Courts. The people of India would prefer those Courts in which they had enjoyed the protection of British law. But, by the power given to the Governor General, the benefits of these Courts might be taken away, and the Trial by Jury and the liberty of the Press; in fact, every protection the British inhabitants of India had hitherto enjoyed, might be abrogated;— the law of inheritance might be changed. This, he contended, was a power too great to be given to any Governor General, with his five councillors. He did not say it would be so used, but they ought to guard against the possibility of it. It was extremely unjust to the presidencies of Madras and Bombay, that they should thus be deprived, or incur the risk of being deprived, of the protection of British law. He also objected to that part of the Bill which continued the establishment of Haileybury College. He thought an equally good or better system of preparation for employment in the Company's service might be had at private seminaries. The next part to which he objected was, the reduction of the number of Directors, which would tend to destroy the independence of that body. As to the increase of the number of Bishops, he would not object to it; but it should be on the express condition that no expense should be incurred. The present expense was 166,000 rupees; the proposed expense, he understood, would be 229,000 rupees; making a difference of 63,000, which he thought greater than ought to be incurred. He had briefly stated his objections to some parts of the Bill; but he would not oppose the third reading.

Mr. *Wolryche Whitmore* admitted, that the Bill had been greatly improved in the committee, but there were still great objections to many parts of it. He hoped that the power of settlement in the older provinces would be extended to all parts of the Indian continent. He concurred with the hon. Member, in strongly objecting to that part of the Bill which subjected the Supreme Courts of Justice to the control of the Governor General. Where the government was so absolute as that of India, there should be two or three places where the rule of law should be superior to the rule of government. As the Bill now stood, it would tend to make the law as despotic as the government itself. He could not but regret that the political power of the Company had not been limited to ten years instead of twenty: at the end of ten years the subject might be re-opened, not only without injury, but with great benefit; but as the Bill stood at present, the re-opening of the question was precluded. The part of the Bill to which he most strongly objected was that of protecting duties on East-India sugar. It was most monstrous and unjust to the people of India and of England, and he was surprised that such a principle should be adopted by a Government professing otherwise such wise and liberal doctrines on the subject of commerce. He could not look upon it in any other light than that of an odious tyranny, which restricted the industry of the cultivators of India, and gave a great check to the manufacturing energies of England; and he hoped, that before long, the House and the country would see the necessity of adopting a more just and liberal policy.

Mr. *Poulett Thomson*, referring to what had fallen from his hon. friend (Mr. W. Whitmore), said, that he did not find many articles in which there was any great difference in the duties between the produce of the East Indies and that of other places. The chief articles in which the difference existed were coffee and sugar. With respect to the first, he would admit that it would be a great advantage if East-India coffee was admitted on the same terms as coffee of other countries. The effect of the difference of duty, at present, created a complete monopoly in favour of West-India coffee; the consequence of which would be, that the price must rise, and the consumption be diminished, unless there was an equalization of the duties. As to sugar, he differed much from his hon. friend, with respect to the power of the East Indies to supply this country with the quantity sufficient for its consumption, even if the duties were equalized. It might be possible to procure the supply under a different system of culture; but he believed that if the duties were equalized to-morrow, we should not have a much greater supply than at present, and that it would not make much difference in the price. At the same time he did not see why, on any principle of justice, East India sugar should be placed on a different footing to that of the West Indies. The duty of tobacco was a mere matter of revenue, and not of protection, and stood upon a different footing; but, with respect to sugar, he did hope that a day would soon come when, on principles of justice, the difference of duties would be done away with. At present, all that the Government could do would be to admit the principle of justice, and practically to do nothing more. He believed that the fears of the West-India proprietors, on the one hand, as to the injury that might be done by the importation of East-India sugar, were unfounded, and that, on the other hand, the expectations of those who thought that great quantities of East-India sugar could be imported if the duties were equalized, were equally destitute of foundation. At the same time, looking at the change that had taken place in the East-India trade, and in the articles and manufactures which were sent out to India, he did hope, that the time was not far distant when we should be able to exchange our cotton and other manufactures for the sugar and other produce of our Indian possessions.

Mr. *Ewart* was glad to hear such declarations as had been made by the right hon. Gentleman, which he thought were worthy of a wise and liberal Government. He conceived, that it would be most unjust to impose restrictions on the importation of East-Indian produce, whilst we were denying to that country the possibility of coming into competition with our other possessions. He earnestly hoped, that Government would encourage the produce of free labour, and of East-India industry generally, which must have the effect of giving a vast stimulus to our own commerce and manufactures.

Mr. *Charles Grant* would not at that hour enter into any general consideration of points which had already been so fully discussed. Referring to what had fallen from the hon. Baronet (Sir Robert Inglis) on the subject of the China trade, he would repeat what he had stated on his first introduction of this measure to the House—that, though there was a great repugnance on the part of the Chinese authorities to permit foreign trade, there was a disposition on the part of the people of that country to embark in it—a disposition so strong, that the Chinese authorities themselves found it impossible to control it, and therefore, without sanctioning it openly, they were obliged greatly to relax the operations of the laws against it. This was proved by the great extent of the trade with India, the eastern islands, and particularly the country trade, in which they were the successful rivals of the British. The authorities of China had, in fact, come to the determination of admitting instead of prohibiting goods. In the case of opium the Emperor having sent a despatch to the Viceroy of Canton to take measures to prevent the importation of that drug, received for answer from that officer, that he had upon experiment found it impossible to do so. It was impossible not to admit, that China and the eastern islands would share the common impulse which would be given to India by the new arrangements, without making any specific efforts for that object. It had been objected to the Bill, that the name of the natives had not been introduced into it. The answer to this charge was, that every part of the Bill was favourable to the interests of the natives. The very admission of Europeans was calculated to have a favourable effect on the native population of India. For the sake of the native population, also, that great principle was advanced, of establishing a similar code of laws for both them and the Europeans. Never would he admit, that the interests of the natives did not form one of the objects of the measure, or were kept out of sight in framing it. In conclusion the right hon. Gentleman thanked the House for the candid and courteous tone in which the measure had been discussed.

The Bill was read a third time.

Mr. *Wynn* rose to propose a clause as a rider to the Bill, on the subject of the patronage which was to be vested by the Act in the Court of Directors. This, in his mind, was an exceedingly improper state in which to place the whole of the enormous patronage of so great an empire; and he hoped the House would be of opinion, that a certain proportion of it should be reserved as a fund, as it were, from whence the sons of as brave and gallant a set of men might obtain appointments (he meant the officers of the Indian army), many of whom were continually, either by climate or by wounds, dropping off, and leaving their families comparatively unprovided for. He felt there was a strong ground of appeal both to their justice and their humanity. Indeed, such were the expenses of a return to Europe in those cases, that it was difficult even for the widow of a field officer deceased in India, to ensure the return of herself and orphan family. With a great respect, therefore, for the Directors themselves, he was prepared to move a clause, that a certain portion of the cadetships of that army should be placed apart for this purpose. The Directors were, of course, not disposed to remunerate the services of individuals, however meritorious, in a public view, out of their own private patronage. Nor was this an unnatural feeling on their part; as the patronage was given to them by virtue of their property. The right hon. Gentleman proceeded to state some cases in which the widows of most universally meritorious officers, on applying for a cadetship for their sons, received for answer, that they had no fund of patronage for that purpose, and that they themselves considered the services of such officers amply remunerated by their pay and allowances, though it were true they had fought, bled, and fallen in the service. The mode he would not attempt to point out for the distribution of this patronage, though he thought it might safely be left in the hands of the Governor-general, or of the Commander-in-chief, and that it should be fixed in amount at one-fourth of the whole number of cadetships granted to the Indian army. The right hon. Gentleman concluded by moving, that the Court of Directors be empowered to set apart one-fourth of the whole number of cadet appointments bestowed by them for the sons of officers who have served for ten years in the military or civil service.

Mr. *Cutlar Fergusson* would not at the present moment enter into a discussion of the expediency of the Motion, but only rose to state what the Court of Directors had really done with regard to these appointments. The number of cadets appointed during the last twenty-one years was 5,092; and of these he believed a very large proportion were the sons of meritorious officers, 409 were the sons of civil officers, 411 were the sons of military officers, 124 the sons of maritime officers, 308 the sons of clergymen, and 1,018 orphans.

Mr. *Charles Grant* thought, that a case sufficiently strong had not been made out to warrant the interference with the management of the appointments by the Court of Directors.

Mr. *Wynn* would persist in pressing his Motion, because he wished it to stand on the Journals of the House.

The Clause was negatived without a division.

Mr. *Sheil* rose to propose a clause for making due provision in India for the Roman Catholic and other Churches dissenting from the Protestant Establishment, regard being had to the population of the various districts. He was one of those who were of opinion, that the wisest course would have been, not to make provision for any Ecclesiastical Establishment in India whatever. The Company had objected to any extension of the hierarchy. Those points, however, having been disposed of, it was for the House now to consider whether it would not be expedient to place all forms of worship equally under the protection of Government. By the existing Act on the subject, provision was made for a Church Establishment in India, without stating whether that Establishment should be of the English Church alone, or not. The present Bill extended the hierarchy. An hon. member for Scotland then called on his Majesty's Government to introduce a statutory provision for the protection of the Scottish Church in India. The President of the Board of Trade gave that hon. Gentleman an assurance that a statutory provision should be introduced into the Bill for that purpose; and accordingly he (Mr. Sheil) found, that a most important change had been made in the Bill, and that a provision had been introduced into it for the protection of the Scotch Church. He would ask what reason there was, that theChurch of Scotland was to be protected by statute, when the Roman Catholics, who constituted so large a majority of the Christian population of India, were not to be protected? The whole amount of the Christian population of India was 800,000, of whom not less than 600,000 were Roman Catholics,besidesalargepopulation of Syrian Christians, whose tenets differed from those of the Roman Catholics by a very slight and evanescent line of demarcation. Thus there clearly appeared to be an infinite majority of Roman Catholics in the Christian population of India. In such a vast body of the population, of whom a great number were Irish soldiers, surely, in justice and good policy, there ought to be the same protection as for other classes. At the present moment the whole of the eight Roman Catholic Bishops in India were maintained by the Portuguese government, and, as had been most justly observed by a competent authority, it was the worst policy to allow this hierarchy to be supported by a foreign government. He (Mr. Sheil) would therefore impress upon the House the propriety of consulting their interest and character by not depriving the Roman Catholics of the same protection as the other religious classes. This would be the only way of preventing those future dissensions which would otherwise inevitably result. There were quite sufficient precedents to authorize the House in granting to the Roman Catholics the protection of a statute. The Roman Catholic Establishment in Ireland in general, the college of Maynooth, and similar institutions, were all under the protection of the law, and there was no possible reason why the Roman Catholics abroad should be left unprotected.

Mr. *Lynch* did not think it advisable to encourage more than one establishment; but, that if any other than the Protestant Established Church were protected, that protection should not be exclusively confined to the English and Scotch Churches. The Catholic Establishment in Ireland had operated injuriously in retarding the spread of Protestantism, and he feared, that to encourage a similar establishment in India would have equally injurious effects. Besides this, he strongly objected to imposing any tax upon one class of religionists for the support of another; yet, if the Catholic Establishment were protected, it would be necessary to impose other taxes.

Mr. *Charles Grant* objected to the hon. Gentleman's clause. It was rather remarkable that, after the strong denunciations made by the hon. and learned Gentleman against imposing any additional load upon the Indians for the support of any other religion, the hon. and learned Gentleman, notwithstanding, now strongly urged the imposition of a still further amount of taxation for the support of the Roman Catholic Church. The alteration which he had suggested was not with a view to establish any Ecclesiastical domination in India, but with a much higher and general view. Besides, the clause of the hon. and learned Gentleman could hardly be admitted, as being too general and indefinite in its nature, for it proposed that "all forms of worship should be equally under the protection of Government, and that due provision should be made for the maintenance of Churches dissenting from the Protestant Episcopal Church." This would bring under the protection of Government, not merely Christian forms of worship, but every description of religion, even the idolatrous creed of the Heathen sects, many of which were such, as, so far from calling for the protection of Government, loudly called for the most strenuous efforts to suppress them, such as those where human victims were sacrificed. The hon. and learned Gentleman, too,had ratherexaggerated the extent of the Catholic population. It would be the pride of the Protestant religion to make converts by the superior tone of its morality, and by the example given by its profession. The country might rest assured, however, that it was the desire and intention of Government to afford protection to all classes; and to make this apparent, he would propose to add as a proviso, that nothing in the Bill should be held to prevent the Governor of India in Council from advancing a sum of money for providing instruction for Christians of all classes, or from withholding due protection to all classes.

Sir *Robert Inglis* thought the clause too indefinite. He had no objection to the clause proposed by an hon. and learned

Member, for allowing Roman Catholic chaplains in India. He would take the opportunity of saying, that the hon. member for Sheffield, was completely mistaken in his opinion as to the causes of the deaths of the Bishops of Calcutta. They died from excessive labour. The right hon. Baronet took occasion to pass a very high eulogium on the great Bishop Heber, whom he described as undergoing privations and labours unprecedented, in the furtherance of the one mighty object which he had throughout his life in view.

Mr. *Finch* could not refrain from expressing his deep regret at the proposition which the right hon. Gentleman (Mr. C. Grant) just announced his intention of moving—a proposition which he trusted would receive the marked disapprobation of the country. By the doctrines of the Romish Church the Protestant religion was declared heretic, and by the articles of the Protestant Church the Roman Catholic faith was pronounced blasphemous. Let any one who thought otherwise state his reasons for so thinking, and he (Mr. Finch) would support his assertion in contradiction. By the 39th article of the Protestant Church the sacrifice of the mass was declared blasphemous and idolatrous. Any person who proposed to vote for the maintenance of two religions, the doctrines of which were at direct variance, was guilty of the most absurd inconsistency.

Mr. *Sheil*, not wishing to excite any difference of opinion, would, on the understanding that the proviso mentioned by the right hon. Gentleman, should be brought forward, and with the permission of the House, withdraw his clause.

The Clause was withdrawn.

Mr. *C. Fergusson* moved, that the 53rd clause be struck out of the Bill, inasmuch as it abolished the Councils, and totally altered the Constitution of India.

Sir Robert Inglis seconded the Motion.

Mr. *Robert Grant* opposed the Motion, as it would not effect the object of the hon. Gentleman.

The House divided on the Amendment —Ayes 33; Noes 78: Majority 45.

List of the AYES.

ENGLAND.

Aglionby, H. A.
Attwood, T.
Briggs, R.
Brotherton, J.
Dare, R. W. H.
Dawson, E.
Evans, Col.
Finch, G.
Halcombe, J.
Henniker, Lord
Hope, H. T.
Hume, J.
Lister, C.
Lowther, Col.
Lyall, G.
Palmer, R.
Pease, J.
Todd, R.
Vyvyan, Sir R.
Wason, R.
Wilks, J.
Wynn, Right Hon. C.

SCOTLAND.

Agnew, Sir A.
Gillon, W. D.
Sinclair, G.
Wemyss, Capt. J.

IRELAND.

Blake, M.
Finn, W. F.
O'Connell, M.
Perceval, Col.
Ruthven, E.
Sheil, R. L.
Vigors, N. A.

TELLERS.

Inglis, Sir R.
Fergusson, R. C.

Mr. Charles Grant then proposed, a proviso relative to the expenses of the Episcopal Establishment in India.

Mr. *Hume* suggested, that care should be taken that the expenses of the new Bishops in India, should not exceed, by more than 20,000 sicca rupees, those of the present establishment.

Sir *Robert Inglis* thought, that the Bishops in India should be placed, at least, on a level with the puisne Judges in point of income. So far from thinking the proposed sum too large, he should say it was rather too small.

Mr. *Hume* did not think that the compelling Hindoos and Mussulmans to pay for these establishments, was the way to promote Christianity in India. He merely wished for a pledge that the expenses for this purpose on the revenue of India should not exceed 11,000*l.* a-year.

Mr. *Charles Grant* said, he had shaped his proviso so as to meet, he was sure, the views of Gentlemen opposite. The right hon. Gentleman then read the proviso to the 19th clause, to the following effect:—" Provided always, that the whole expenses of the Bishops and Archdeacons in India, shall not exceed 120,000 sicca rupees per annum, including their visitations."

The proviso was agreed to.

Mr. *Charles Grant* then proposed a proviso to the 99th clause, to this effect: —" Provided always, that nothing herein contained shall be so construed as to prevent the Governor-General in Council from granting from time to time, with the sanction of the Court of Directors, to any sect, persuasion, or community of Christians, not being of the United Church of England and Ireland, or of the Church of Scotland, such sums of money as may be expedient for the purpose of instruction, or for the maintenance of places of worship."

Mr. *Andrew Johnston* said, he must oppose the proviso. The hon. member for

Middlesex, had expressed his apprehensions with regard to taxing the Hindoos and Mahommedans for the support of the Church Establishment in India. Had that hon. Member ever opposed the shameful conduct of the East-India Company in screwing from those unfortunate Hindoos, in the course of seventeen years, 1,000,000*l.* in the shape of pilgrim tax? If the principle of this proviso should be adopted, they would have no Church Establishment in India in the course of a few years. The East Indies, in a few years, would be made a hot-bed for heresies of all descriptions. He called on the House to resist the introduction of such a principle into India. They might see what results were attending it in France. If they adopted such a principle in India with respect to dissenting sects there, how could they resist a similar claim from the Roman Catholics in this country? He stood in a peculiar situation as an elder of the Church, and he felt it his duty to oppose such a proposition.

Sir *Robert Inglis* cordially concurred in the objection to the clause.

Mr. *Robert Gordon* expressed his surprise, that after they had been engaged for so many years in promoting the cause of religious as well as civil liberty, any Member of that House could be found to second the hon. Member's objection.

Mr. *Sinclair* said, he was willing to share in any obloquy which might attach to those who opposed it.

Mr. *Pease* said, that the voluntary exertions of individuals was sufficient to spread Christianity in India; and he thought it extraordinary that persons should be so anxious to put their hands in the national purse of Hindostan, to support their own religion.

The House then divided—Ayes 92; Noes 8: Majority 84.

List of the Noes.

Bruce, Major C.
Buller, C.
Finch, G.
Foster, C. S.
Lowther, Hon. Col.
Plumptre, J. P.
Sinclair, G.
Wynn, Rt. Hon. C.

TELLERS.

Inglis, Sir R.
Johnston, A.

Mr. *Wynn* moved, that a part of the 100th clause be left out. His object was to abolish Haileybury College; the young men were elected on the principle of competition to be sent out direct to India.

Mr. *Robert Grant* was desirous that the establishment should have a further trial, and thought that it would be inexpedient to abolish it at once.

The House divided on the question that the clause stand—Ayes 46; Noes 20: Majority 26.

The Bill was passed.

List of the Noes.

ENGLAND.

Aglionby, H. A.
Briggs, R.
Brocklehurst, J.
Brotherton, J.
Buller, C.
Dykes, F. L. B.
Halcomb, J.
Lister, C. E.
Lowther, Col. H.
Lyall, G.
Marjoribanks, S.
Pease, J.
Walter, J.
Wason, R.
Young, G.

SCOTLAND.

Fergusson, C.
Murray, J. A.

IRELAND.

Blake, M.
Finn, W.
Ruthven, E.

TELLERS.

Wynn, Rt. Hon. C.
Hume, J.

HOUSE OF LORDS,

Monday, July 29, 1833.

Minutes.] Papers ordered. On the Motion of Lord Hamilton (Belhaven), a Return of all the Money raised and Expended in the year 1832 for the Maintenance of the Poor in the several Parishes in Scotland.—On the Motion of Lord Ellenborough, Copy of a Correspondence between the Board of Control and the East-India Company relative to the Renewal of the Charter.

Bills. Read a second time:—Burgh Police (Scotland); Marriages Validating.

Petitions presented. By the Duke of Richmond, from Barking, for an Alteration in the Law of Settlement as to Apprentices bound to Fishermen.—By the Duke of Wellington, from the several Trades Employed on the River Thames, for a Clause in the East-India Charter Bill, to Employ the Company's Ships this Session.—By Lord Hamilton (Belhaven), from a Farming Society in Scotland, for Selling all Dry Farming Produce by Weight.—By the Bishop of London, from the Clergy of Salop; and by the Duke of Newcastle, from various Individuals,—against the Irish Church Temporalities Bill.—By the Duke of Somerset, the Lord Chancellor, and the Marquess of Clanricarde, from the Proprietors and Actors of the Minor Theatres, in favour of, and by the Earl of Glengall, from the Proprietors of Covent-garden and Drury-lane Theatres, against, the Dramatic Performances Bill.

Church Temporalities' (Ireland).] On the question, that the Report on the Church Temporalities' (Ireland) Bill be received,

The Earl of *Winchilsea* rose to crave their Lordships' indulgence for a short time, while he addressed them on this Bill. He had not followed the Bill into a Committee, because he had expressed himself so decidedly hostile to the principles of the Bill, that he could not, with any regard to the consistency of his character, go into the Committee, as he had no hopes of there seeing any Amendments which would remove his objections to the Bill. Let their Lordships look at the Bill, and they would find that it was one of the most unconstitutional measures ever proposed. He acknowledged the power of the Crown, in conjunction with its spiritual advisers, to propose for the consideration of the House such measures as they, in their united wisdom, thought would promote the interests of the Established Church. But he denied the power of the Crown—and he challenged the noble Earl on this point, at least since the Revolution —he challenged the noble Earl to prove, that it was in the power of the Crown—to take the revenues of the Established Church, and make a present of them to the two Houses of Parliament, to be disposed of as they might think proper. Let them look to the power of the Crown, and to the objects this Bill had in view. The Bill came before them under the specious pretext of correcting the evils of the Established Church; but, if that were the case, would they not have asked the advice and opinion of those most interested in the Church? It was important that their Lordships should weigh this matter well. He admitted that there were clauses in the Bill worthy of support; but they were only intended to conceal the design, which he saw plainly in the other clause, of weakening, and not only weakening, but destroying, the Established Church of the empire —which, he believed in his conscience, was the object contemplated by this Bill. One great purpose of it was said to be, to remove that cause of dissension and irritation which was now found to exist in making the King's Roman Catholic subjects pay the cess for the Established Church. But he denied that that was a cause of irritation. It was not necessary for him to prove, though it was easily done, that the whole burthens of the tax fell on the Protestant landlords, and not on the Catholic tenancy. If they wished to remove the cause of irritation, it would only be necessary to make the landlords take the cess upon themselves, and relieve the Catholic tenancy. It was said, that the Bill was intended to promote the spiritual and temporal welfare of the Church. If that were the object, why did not they ask the opinion of the clergy of the Established Church, who, from their situation, had the strongest interest in its temporal and spiritual welfare, and were best qualified to give an opinion. Had that been done? Certainly not: for the Bill was directly in opposition to the opinion of ninety-nine out of a hundred of the clergy of the British Empire, and it had been brought forward in opposition to their wishes. It was said by the noble Lords who supported the Bill, that it was not contrary to the Coronation Oath. On that point they were at issue. He would expressly say, that anything which would tend to weaken or prevent the progress of the Gospel, would be directly contrary to that oath which the Sovereign took to his God. It was not a mere human compact, which men might set aside. If it were taken from a feeling of due respect to religion, it was not in the power of man to dissolve the obligation which the Sovereign had entered into with his God. Without paying any regard to the specious pretences under which this Bill was brought in, and which were only false colours—if their Lordships would cast them aside, they would find that no such measure as this had been brought forward, affecting the spiritualities and the temporalities of the Church, since the time of James 2nd. He spoke his opinions openly. On all questions he endeavoured to divest himself of all party feeling, and all personal bias; and he must say, that he considered this measure to be fraught with danger to the whole united Established Church, and to the best interests of the country. He did not wish, in alluding to the question of Roman Catholic Emancipation, to say anything which might hurt the feelings of any person, but he thought the result of that measure had confirmed the views which he took of its probable effects before it was passed. Religion was a great question, though some men treated it with great latitude; but he maintained, that its principles ought to be steadily adhered to. With that opinion, he could not say, that it was right to concede to the Catholics, for the Catholic religion was hostile to the civil and religious liberties of all mankind. He did not wish, he said, to wound the feelings of those who supported Catholic Emancipation, but it was said that, in removing the disabilities, the Catholics would be made good subjects. Had that been the case? Let them look at the outrages which were every day committed in Ireland, and let their Lordships then decide whose opinion had been most correct. He was convinced that, in a free form of government like ours, in which the Protestant religion was predominant, the Catholics could not be admitted with the Protestants into concurrent civil rights. The Roman Catholics were not content; and if he were a Roman Catholic, he should not be content, unless he could reinstate the Catholic Church in all its former power. But let their Lordships look to Ireland, and see the tranquillity which prevailed in the Protestant parts of that country—the obedience which there was shown to the law; and let them see the outrages which continually took place among the Catholic peasantry, directed against the Protestant clergy; and let them say whether the object of the Catholic population were, or were not, to destroy the Protestant Church. He was sure that no person could say, that such were not their views; and he condemned the present Bill because its object was to help the Catholics, and to weaken, and ultimately to destroy, the Protestant Church in Ireland. He would pray their Lordships, therefore, not to pass a Bill which would subvert the established religion, and tend to separate the two countries. He trusted that they would view this question in all its bearings. Never was there a question more worthy of serious attention. This Bill, if it had been passed as it was originally shaped—that was, with the 147th clause—would have deserved still greater reprobation than it did as it now stood. He was informed that the surplus which would have been produced under that clause was offered to the Catholic clergy, and had been refused by them. It would have been disgraceful to the House if such a provision had been agreed to. With respect to the retrospective clause, by which the produce of those livings in which divine service had not been solemnized for three years were directed to be sequestrated, without any inquiry into the reason which had produced that effect, he thought it was unjust. That clause appeared to him disgraceful, when he looked to the unceasing persecution to which the Protestant clergy were subjected. That persecution was of a more daring, cruel, and dangerous character, than was ever before carried on against any class or body of men. Those acts of persecution and cruelty were so monstrous, that he could not adequately describe them. The consequence was, that the Protestant clergy, especially in the south and western parts of Ireland, were driven away, and were prevented from exercising their sacred functions. To support the Protestant clergy was a duty which they owed to that body; but, what was of still more importance, it was a duty which they owed to their God. Feeling that this measure was pregnant and fraught with innumerable, and irremediable evil, he could not content himself with giving a silent vote on this occasion. He could not, as he said before, go into the Committee on this Bill, because he was utterly opposed to its principle. He should reproach himself if he did not make another effort to stop a measure, which he conceived to be pregnant with irreparable injury to the country. The noble Earl concluded by moving, that the Report be received that day six months.

Earl *Grey* thought it was not necessary, at that stage of the Bill, to enter into arguments in reply to the vehement declamation of the noble Earl. The noble Earl had imputed to him an intention to overthrow the Protestant Church. All he could say was, that the Bill was framed with very different intentions, and the allegation, that it was designed to overturn the Protestant Church, was an invention solely of the noble Earl. He relied for an answer to the noble Earl on the candour of his fellow-countrymen; and they, he was sure, would not impute to him such designs, or, imputing such designs, would never suppose that he would attempt to carry them into effect by that Bill. The noble Earl had stated that it was not intended to benefit the Established Church—that the motive of it was to provide for the Roman Catholic clergy. All he could say in reply to that was, that there was not the least foundation for the noble Earl's assertion.

Their Lordships divided on the Amendment:—Contents 30; Not Contents 68:—Majority 38.

The Report was received.

The Marquess of *Westmeath* said, in reference to the clause for consolidating the bishoprics, that the only pretext brought for the adoption of this clause was, that it was necessary to secure the respect of the Protestants of Ireland to the Established Church. He denied that such a pretext existed, and contended, that the absence of petitions from Irish Protestants in favour of this measure showed the state of their feelings. The Protestants felt this clause to be an insult and an injury. He would give all the opposition in his power till the last moment that the Bill was before them.

On coming to Clause 34,

Earl *Grey* said, that, when the Bill was in Committee, the noble Duke opposite (the Duke of Wellington) had proposed an Amendment, to the effect that twenty livings should be given to the junior ex-fellows of Trinity College, Dublin, but that he had consented to withdraw his Amendment on a promise on his (Earl Grey's) part, that he would take the subject into consideration, and move a clause to that effect on the bringing up of the Report, if he should think it proper and advisable. He (Earl Grey) had since considered the subject, and was of opinion, that the subtraction of twenty livings from the patronage of the Bishops would be too much, but that it would be going a great way if he proposed that ten livings should be appropriated to the Junior Fellows of Trinity College. That was giving to the Junior Fellows nearly one-half as many livings as they at present possessed, the number which they now had being twenty-one. He would therefore propose, that a clause be added giving ten additional livings to the Junior Fellows of Trinity College, and that the livings so given should be limited to 800*l.* a-year. There was another part of the proposition of the noble Duke, that the patronage of these livings should be given to the Archbishops of Armagh and Dublin, but subject to an appeal. He (Earl Grey) now proposed that there should be no appeal, which he thought would be the better course.

The Duke of *Wellington* was understood to concur in the Amendment proposed by the noble Earl.

The Earl of *Wicklow* suggested that the amount of the livings should be raised from 800*l.* to 1,000*l.* He thought that, with the exception of the change in the patronage, the University of Dublin would feel grateful for the Amendment.

The Bishop of *London*, looking to the very few livings in the gift of a Bishop of the value of 800*l.*, could not concur in the suggestion of the noble Earl (Wicklow).

The *Lord Chancellor*, with all respect for Trinity College, suggested the propriety of taking an early opportunity of considering the amount of the Senior Fellowships. The amount of income derived from these Fellowships appeared to him too large, and he thought it a proper subject for inquiry, whether they ought not to be reduced in order to increase the number of the Junior Fellowships? He thought that when they heard that the average value of those Fellowships was 1,700*l.* it was time to consider whether the reduction of their number, and the increase of the number of Junior Fellowships (he did not mean to propose any increase of their emoluments), would not be useful to the respectable seminary to which they belonged.

The Motion agreed to.

On coming to the 52nd Clause,

The Bishop of *Exeter* said, that by this clause the Bishop of Derry was required to pay over to the Commissioners the sum of 4,164*l.* He (the Bishop of Exeter) saw no reason why the House should thus dispose of vested interests. He was indeed aware, that the present Bishop of Derry had no reason to complain, as he had accepted of the See under that provision; but he (the Bishop of Exeter) thought that words to that effect ought to be added to the clause, in order to show under what circumstances it had been proposed. He would therefore move that the words be added—" he (the Bishop of Derry) having freely assented thereto."

Agreed to.

The Marquess of *Bute* moved, as an Amendment on the 61st clause, after the word "defrayed," the insertion of words to the effect, "until further provisions by law be established for the same purposes." His object was, not to throw the burthen of providing for the repairs of churches permanently on the revenues of the clergy.

The Earl of *Winchilsea* would be very sorry to sanction any measure that would press heavily, in a pecuniary way, upon the Irish clergy, whom he wished to see protected. He was sure that he only spoke the sentiments of the great majority of Irish Protestant Gentlemen, when he said, that they would prefer to have the tax laid on themselves. A great portion of the landed property in Ireland belonged to Protestant Gentlemen; and they would be sorry to be relieved of a tax by throwing it on the clergy.

The Earl of *Wicklow* said, that it was a most unjust principle, that any portion of the small property now left in the hands of the clergy should be taxed in order to relieve the landlords. He thought that renewing the Act of last Session respecting the payment of tithes would be a way of giving to the clergy an equivalent for what was about to be done to them by the present measure.

The Earl of *Haddington* would ask, if the precedent of taxing any portion of the clergy was once allowed, how many years would pass over before a similar tax would be laid on the clergy of this country? It was his opinion, that those persons who were loudest in their demands for the present Bill were so because they saw it sanctioned the principle of taxing the clergy. Could the landlords, who might consent to the laying on this tax, flatter themselves that they would be let off? If they did, they would find themselves mistaken. They would be the next sufferers. As he considered the Amendment of the noble Marquess a good one, he would divide the House upon it.

The Marquess of *Clanricarde* contended, that the Church-cess ought not to be paid by the land. A Land-tax should have reference to Poor-laws, and not to the Church.

The Earl of *Harrowby* said, that all taxes, no matter by whom paid, or whether they came from the pockets of the occupying tenant or that of the landlord, were in point of fact borne by the latter, and not by the former. It was the landlord who paid the road rate, the county rate, the Church rate, and even the tithes; for if these imposts did not exist, was it not very plain that the tenant would have to pay an increased rent to the landlord; these charges being nothing more nor less than deductions from the rent? He therefore asserted, that the Church-cess was paid by the landlord, and not by the tenant, and he should like to know how such a proposition could be disputed. All persons, no matter what their religious persuasion might be, were bound to contribute to the support of the Established Church, and for his part he must say, that he could not distinguish between tithe and Church-cess. But it had been said, that the Roman Catholics of Ireland derived no benefit from the Protestant Church. This was not the fact, for had they not the whole advantage of the good morals, the good order, and the respect for and obedience to the laws which the clergy of the Establishment inculcated and maintained among the people? Would a man be justified in refusing to pay taxes merely because he thought the laws of another country better than those of his own, or that he was of opinion a militia force was preferable to a standing army? No one would advance such a proposition; but as well might an exemption from taxes be claimed upon such reasons, as to say, that every member of the community was not bound to contribute to the support of the National Church. Tithe had been called a tax, but that was clearly a misapprehension, for the right to tithe was co-equal with the right to land, or any other property. Was it not most inconsistent and unjust to take a burthen off land and throw it on a particular class of persons? But although he said this, he did not mean to deny, that something was necessary to be done to relieve the peasantry of Ireland from the Church-cess. He could not, however, agree that without this Bill the Church of Ireland must absolutely be ruined, for he believed nothing of the sort; on the contrary, it was his firm opinion, that if this measure were to pass into a law, the Church of Ireland could not be safe. He did not believe, that this Bill, more than the other measures of the Government, would be sufficient to restore the persecuted clergy of Ireland to their rights, or to obtain for them that of which they had been deprived by tumults and rebellion. If it was not rebellion in the eye of the law, it was, at all events, rebellion in its effects. It had been said, that on a given day in November, tithes would be thrown altogether upon the landlord. This was another mistake. It might be so in cases where there were no leases, or where the leases had expired; but he denied that this measure could, in any way, affect existing leases. All the efforts of the Government hitherto to enforce the payment of tithes had failed. They had issued upwards of 1,500 decrees without being able to obtain one farthing, and therefore it was clear that in November next the clergy would be just as far from receiving their miserable subsistence as ever they were. He must, however, implore Ministers, before the breaking up of the Session, to consider well how the Church of Ireland was to be supported, and to adopt measures to ensure that object. He could not vote for the clause.

The Earl of *Ripon* did not expect that the noble Earl would have introduced the topic of tithes on discussing a clause that had no relation to them. He protested against one remark of the Noble Earl's, namely, that which went to accuse the present Government of a dereliction of duty with respect to enforcing the law in Ireland. Such an accusation had been often made, but it had been never borne out by argument or fact. It was his opinion, that the Government had acted wisely in not having recourse to extraordinary measures until they were warranted by the necessity of the case. No charge had been brought against the Government of weakness in the exercise of the laws, that could be substantiated. Tithes and Vestry-cess were two distinct things. The charge of tithes fell upon the land, but that of the cess stood on its own bottom. He would ask noble Lords with what justice they could throw upon the land a burthen that was never on the land? If they threw it upon the land, they must throw a portion of it upon the towns, for it was as just that the owners of houses should be as liable to the tax as the owners of lands. With respect to what the noble Earl said about different persuasions supporting the Established Church, he thought that the Irish Catholics, on that point, were differently situated from the Dissenters of this country.

The Marquess of *Bute* said, that the reason he proposed his Amendment was, that it might appear to the country that they consented to the clause solely and entirely as a matter of necessity.

Amendment negatived.

The Report received with Amendments.

HOUSE OF COMMONS,
Monday, July 29, 1833.

MINUTES.] Papers ordered. On the Motion of Mr. FOWELL BUXTON, Copies or Extracts of all Population Returns from the several Slave Colonies, received since the last were presented.—On the Motion of Mr. VIGORS, a Return from the Trustees acting under the Act of 56th Geo. 3rd, and 20th Geo. 4th, for Building a New Church and Chapel in St. Pancras, Middlesex; of all Sums Assessed, Collected, Received, and Borrowed, under and by virtue of the said Acts, &c.

Bill. Read a second time:—Assessed Taxes' Reductions.

Petitions presented. By Mr. EWART, Mr. DOBBIN, Mr. ROEBUCK, Mr. MARSHALL, Mr. SALISBURY TRELAWNEY, and Sir RICHARD VIVIAN, from Liverpool, Bath, &c.,—against; and by Mr. FOWELL BUXTON, from a Number of Places, in favour of the Slavery Abolition Bill.—By the Earl of DARLINGTON, from the Brickmakers of Broslee, and other Places, for the Repeal of the Duty on Bricks.—By Sir EDWARD CODRINGTON, from St. James's, Clerkenwell, against the Contribution of Sixpence per Month by Merchant Seamen towards the Support of Greenwich Hospital.—By Lord HENNIKER and Mr. SHAWE, from Yoxford and Halesworth, for the Establishment of Local Courts.—By Mr. VIGORS, from St. Pancras, Middlesex, for the Abolition of the Metropolitan Police.—By Sir EDWARD KNATCHBULL, from Feversham, for Amending the Sale of Beer Act.—By Mr. MARSHALL, from Leeds, for Equalizing the Duties on Sugar.

MINISTERIAL PLAN FOR THE ABOLITION OF SLAVERY.] On the Order of the Day being moved for the House to go into Committee on the Abolition of Slavery Bill,

Mr. *Wilks* rose to inquire of the right hon. the Secretary for the Colonies what provision was intended to be made by the Government for the moral and religious instruction of the enfranchised negroes? It was fully understood that the provisions of the Bill were to be founded upon the Resolution which had been agreed to by both Houses of Parliament. The last of these Resolutions determined that such instruction should be provided for the liberated slaves; but, on looking over the Bill, he had not been able to discover the slightest indication of any means of carrying that intention into effect. Within the last two months, religious persecutions had been renewed in the island of Jamaica, and the property of unoffending individuals had been confiscated to pay penalties inflicted for attending religious worship. His conduct, and that of many other Members, he believed, would be regulated in a great measure by the answer which he received.

Mr. Secretary *Stanley* said, he did not precisely know the meaning of the hon. Member. If it was to ask whether the Government intended to give full effect to the establishment of civil and religious liberty, he would answer, yes, such were the intentions of Government; and he believed that one clause in the Bill established the same law in the colonies as in England. When that clause was under consideration would be the proper time for introducing any Amendment.

Mr. *Andrew Johnstone* did not think the right hon. Secretary had fully answered the question of the hon. Member, and trusted that that hon. Member would take another opportunity of pressing his views, by proposing an additional clause. He could not agree with that part of the Bill which put education under the care of the Colonial Legislatures. He would as soon have left the legislation upon the Irish Coercion Bill to the Whitefeet, as agree to leave the Local Assemblies to regulate the religious education of the slaves.

The House in Committee.

On the 10th clause being read—

Mr. *Patrick Stewart* said, he would not raise an objection to any part of the Bill except for the advantage of the larger communities, the welfare of which would be affected by it. Now, in some of the larger islands, the population of the negroes was so great, that they could hardly find unappropriated ground to stand upon; and there was, consequently, very little employment for them. Of what use was it to give them time, if they could get no employment, and therefore no wages? He thought it would be the best way to allow them to be transferred with their own consent, from the too populous to the thinly-peopled islands, where there would be a demand for their labour, and where they would receive good wages. He knew that the hon. member for Weymouth would object and would refer to the transfers that had heretofore been made of slaves from the Bahamas to Trinidad and Demerara. But the hon. Member should recollect that those transfers were made without the consent of the slaves; and every man, who knew anything of the negroes, was aware, that there was no race of men more attached to localities and inanimate things than they were. If the clause were passed in its present shape, it would inflict idleness and poverty on a large number of slaves in several islands.

Dr. *Lushington* opposed any such alteration as that suggested by his hon. friend, on the ground that, if it were permitted, it would be subjected to much abuse. If the slave were worth little, for that little the master would give him his freedom, and then he might go where he pleased. He was afraid, if the proposition were agreed to, it would expose the slaves to much imposition.

Mr. *Fowell Buxton* said, there was no part of the slavery question in which he felt more interest than that which was now before the House. His hon. friend had referred to the removals to Trinidad, but his hon. friend was wrong in supposing that they were not effected by the consent of the negro. The Act provided that it should not be done, except with the consent of the negro. It was known in that case, that the negroes were removed, and that they died like rotten sheep. His firm conviction was, that if they were to proceed in the way proposed, in the course of the next six or seven years there would be a transfer of 20,000 slaves from island to island, and not a thousand of that number would be alive at the end of their apprenticeship.

Mr. *Robert Gordon* concurred in the opinion of the hon. member for Weymouth. He considered there was no proposition that would be attended with more difficulty between the planters and their apprentices than that which was made by his hon. friend opposite (Mr. Stewart); and while his hon. friend supposed it would be an advantage to the people of Barbadoes, they were protesting strongly against it, because it would expose their negroes to the influence of speculators from Demerara.

Mr. *Fowell Buxton* moved as an Amendment to the clause, "that no apprentice should be removed from one colony to another after the passing of this Act, without the consent of the said apprentice given and recorded in writing signed by the said two Justices of the Peace." He could produce a great number of authorities equally conclusive on this point, but he felt satisfied the House would fully concur with him in thinking that these apprentices ought not to be considered as slaves, and that they should not be removed from place to place without their own consent and authority. If any objection was made to this, he should certainly feel it his duty to press it to a division.

Amendment agreed to.

The clause to stand part of the Bill.

Mr. Secretary *Stanley* said, that it was intended to amend clause 12, by adding, that the slave should not be employed more than forty-five hours each week, and that the time for cultivating his provision ground should not be deducted from his weekly but annual time.

Lord *Howick* concurred in the Amendment, but with it he still thought the clause tended to great objections. For many years, it would be in the recollection of the House, endeavours had been made to prevail on the colonists to make more liberal allowances to the slaves. The clause, as it now stood, would give advantage to those colonies that had been most obstinate in preventing the execution of the orders of Government. He should therefore suggest that they should give small sums to the slave for his labour —say even the sum of 6*d*. for seven hours and a-half—that would reconcile him to the apprenticeship imposed upon him. It was very well known that the slaves were very fond of having money given to them. The adoption of the proposition which he had brought forward would, in his opinion, meet the wishes of both parties. Although the Amendment would not remove all the objections he had to the Bill, it would remove many of them.

Mr. Secretary *Stanley* thought, by carrying into effect the Amendment of the noble Lord, a gross breach of justice would be committed, and Parliament would be taking to itself a power which it never ought to exercise.

Mr. *Fowell Buxton* was convinced, that nothing would induce negroes to work so well or so readily as holding out an inducement of wages; the evidence given before the Committee proved that fact; but the House had already decided against the system of wages. He hoped that the right hon. Secretary (Mr. Stanley) would consent to the introduction of a clause that should approximate towards wages, by allowing the negroes a small sum, say a half-penny per hour, for their labour. The planters complained of the expensive and tiresome mode of laying in stores of provisions for the negroes, and therefore it would be better to allow a small sum for wages, that the negro might know he was working for wages. The prospect of emancipation through an apprenticeship, would be no inducement equivalent to wages. At all events, the slaves should have the option of having allowances and provision grounds, or of having wages.

Mr. *O'Reilly* said, he hoped the right hon. Secretary would, instead of allowing the negro so many hours on an annual average, make it so many hours per week, so that he might cultivate his own grounds. It was true that the crop season was a busy one for the planter, but it was also an important one for the negro in the cultivation of his garden; but if at that period the master chose to call on his negro for extra labour, he should pay for it.

Mr. Secretary *Stanley* said, that was precisely what the clause would effect. If the negro worked for his master more than the 45 hours in crop time, the latter would be bound to pay for the extra labour.

Mr. *James* said, he was the proprietor of one estate in the island of Jamaica, and he had several slaves, who contrived, despite of their labour for their master, to amass considerable sums of money from their savings, when not engaged at their daily employment. One slave of his alone at that moment had upwards of 200*l.*, the amount of savings from the produce of a bit of land; and that very slave, although possessed of so much money, would not consent to receive his emancipation, if he thought it was to be at the loss of his trifling allotment of ground. The slaves were now to be paid money for their hours of employment. Now, he would ask, what were they to receive money for? Was it for eating, drinking, lodging—all of which they at present had, free of expense, and an allotment of ground besides? Hon. Gentlemen considered they were entitled to money payments, at the rate of one half-penny an hour, in place of allowances. That they were slaves it was true; but were there, he would ask, no such slaves in England—men who laboured and toiled to earn a subsistence? And it would be for any hon. Member to come forward and adduce a single instance where a labourer by his exertions was enabled to amass such a sum as the slave whom he (Mr. James) had instanced. The slaves were to be emancipated, and he rejoiced at it. But hon. Members, he conceived, had exaggerated when they thought slaves should have money wages. The hon. Member concluded by condemning the publication got up under the sanction of the Anti-Slavery Society, as being full of exaggerations and falsehoods.

Mr. *Fowell Buxton* conceived the hon. Gentleman who had just sat down could not have possibly adduced stronger arguments in favour of the payment of money for labour than those he was pleased to utter, evidently intended to have an opposite tendency. The hon. Member was pleased to allude to a publication got up under the auspices of the Anti-Slavery Society, as if he (Mr. Fowell Buxton) was the author of it. Now, in denying such to be the fact, he assured hon. Members he did so with regret. He could not acknowledge that he was, but for the satisfaction of the hon. Member, he could acquaint him not only with the name of that gentleman, whom he was proud to acknowledge as his friend, but also that that gentleman had done more by his exertions to promote the great cause of anti-slavery, than any other man in existence — and that was Mr. Macaulay.

Mr. *Patrick Stewart* said, the Amendments of the noble Lord and the hon. member for Weymouth would be unnecessary interpolations on the principle of the Bill. They would be unjust to the planter, and injurious to the slaves, who would be apprehensive of losing their provision-ground. The House could not in justice listen to the proposition.

Mr. *O'Connell* supported the Amendment. He was glad to find, that the House had thrown off the hypocrisy of apprenticeships, when speaking of the negroes under the changed circumstances which this Bill proposed to create. They now talked of slaves, when speaking of the blacks in their new condition, and not as they had hypocritically done for some days, of apprentices. The truth was, that they would still be slaves, and he was, therefore, glad that the House had thrown off its hypocrisy, and called them by their right name. As to what the hon. member for Carlisle had said of *The Anti-Slavery Reporter*, nothing could be more unfounded. He (Mr. O'Connell) was a member of the Anti-Slavery Society, and he would consent to give up that publication, if the hon. Member could support his allegation. Let the hon. Member take four volumes of that work already published, let him compare the statements in that work with the parliamentary documents on which they purported to be founded, and then let him point out a single case which would sustain his charge of exaggeration or misrepresentation, and he would at once give up the work. He challenged him to do this; he defied him to this; and if he could not, he trusted that the House would hear no more of the exaggerations or misrepresentations of *The Anti-Slavery Reporter*. As to the Amendment, he believed it to be of the utmost importance. It proposed to introduce a new and efficient stimulant to labour. It substituted wages for coercion, and was, therefore, the best calculated to ensure the industry of the emancipated slaves. The only impediment that had hitherto been found in the way of emancipating the slaves, was their indolence, or indisposition to labour. It had, however, always been said: "Oh, emancipate the slave, leave him at liberty to labour or not to labour, as he pleases, and there will be an end to the cultivation of the West-Indian colonies." But, what said the hon. member for Carlisle? He said, that the slaves were in the enjoyment of a very large amount of comfort, provided for them by their owners; that they were sleek, well fed, and fat; that they possessed, in fact, and as slaves, everything they could desire; and yet, so fond were they of work—so desirous of labour—that even in these circumstances of comfort and plenty, they absolutely deprived themselves of rest, and by continuous and persevering labour accumulated 100*l.* or 200*l.* Why, could anything stronger in favour of emancipation be urged by its most zealous advocates? Here were the slaves so industrious, so desirous of labour, as to give themselves to it without any compulsion; and when they were not at all dependent upon it for their comfort or enjoyment! Now, as to the nature of the Amendment, what was it? What was there in it so unreasonable and unjust as it had been represented to be? It had been stated in the evidence laid before the House most distinctly, that the earnings of a slave were about 3*s.* 4*d.* a-day (that was in the island of Jamaica; in some other colonies it was not so much),—but in the island of Jamaica the slave earned for his master about 3*s.* 4*d.* a-day. Well, the Amendment of the hon. member for Weymouth proposed, that of this 3*s.* 4*d.*—that was about 2*s.* currency—the slave should receive 6*d.* a day, or one-fourth of the amount, in the shape of wages, of course subject to such regulations as the nature and justice of the case might require. He did not see how this could be reasonably objected to; but he saw, on the other hand, that it would furnish the most powerful incentive to labour that could be furnished to the slave. The hon. and learned Member concluded by expressing his determination to support the Amendment.

Mr. Secretary *Stanley* said, that giving the apprentices 6*d.* a-day by law, would be no temptation or inducement to them to labour. If the master were obliged to pay them 6*d.* every day, no matter whether they worked well or ill, then there was no stimulant to labour at all. Under the regulations proposed by the present Bill, the master could pay his apprentice what he contracted for; and he had no doubt at all, that such contracts would be entered into. But if the master were compelled to pay his apprentices, whether they worked well or ill, or not at all, it would be introducing a regulation to encourage not labour but idleness.

Lord *Howick* suggested, that the allowances to slaves should be equalised in all the colonies. There at present existed nothing like equality in that respect; for some masters only gave their slaves two herrings and a pint of rice a day, while others gave them a very liberal allowance; in different islands of course. The great fault of the Bill was, that his right hon. friend, its framer, had adopted as its basis the colonial legislative regulations with all their imperfections.

Mr. *Gordon* would ask his noble friend where he was to find the circulating medium in the colonies to pay the sums proposed by him as wages to the negroes?

Mr. *Ewart Gladstone* said, the proposition of the noble Lord would subject the planters to an additional charge of 3,000,000*l.* a-year, and make the slaves idle.

Lord *Howick* said, that the prescribed time would only amount to four days and a-half a-week, and the wages would be only 5*l.* or 6*l.* a-year.

Mr. Secretary Stanley's Amendment agreed to.

The House resumed; the Committee to sit again.

Breach of Privilege.] Mr. *O'Connell,* after observing that his object was not to punish the printer, but to get at the proprietors, moved that the Order of the Day for the attendance at the Bar of John Joseph Lawson, and James William Lawson, be read.

Mr. *Methuen* rose for the purpose of moving, that the said Order be discharged. In taking this step, he was not actuated by any feeling of disrespect towards the hon. and learned member for Dublin. He had no doubt that the hon. and learned Member thought, that he was doing his duty in the course which he had pursued and was pursuing; but he (Mr. Methuen) also had a duty to perform as a Member of that House; and he felt most conscientiously, that he was called upon in the discharge of that duty, to object to the House being placed in a situation which might, perhaps, prove to be one of great difficulty; a situation which the House had always avoided to be placed in, whenever it was possible to avoid it; and which, he hoped, they would always continue to avoid, unless circumstances of an imperative nature should require them to do otherwise. Undoubtedly he did not think that they were at all called upon, on the present occasion, to place themselves in that situation. And first, with respect to the propriety and expediency of calling the printer to the Bar. It was impossible that the printer could be the offending party. In one point of view, perhaps, the reporters might be termed the servants of the printer, for the time during which they were engaged; but they could not be considered as his slaves. Nor was it possible that the printer could compel those gentlemen to act in any way in which they might not choose to act. He begged leave also to observe, that the subject of this dispute did not originate within the walls of that House. It originated at a time when the hon. and learned member for Dublin was not acting in the capacity of a Member of Parliament, but in that of a private individual; and he must protest against their being called upon to interfere in any private dispute in which the hon. and learned member for Dublin might happen to be involved, and with which that House could have nothing whatever to do. The hon. and learned Member complained of a breach of the privileges of that House. But his proposition involved a strange contradiction. How had a breach of the privileges of that House been committed? It was a breach of the privileges of that House to report their proceedings at all. But it was not of that that the hon. and learned Member complained. The hon. and learned Member complained not that the proceedings, of that House had been reported, but that they had not been reported. He (Mr. Methuen) was perfectly aware that the House had the power, and he thought properly had the power, of defending its own privileges. Their power in that respect was very great, and, therefore, it ought to be exercised with caution—

> "——'tis excellent
> To have a giant's strength;
> But tyrannous to use it like a giant."

He must say, that to resort to the privileges of the House in the present case, would be not merely an act of injustice towards the parties in question, but a most unwise and impolitic proceeding on the part of the House itself. The hon. and learned member for Dublin complained of partial reporting. But, unless his (Mr. Methuen's) information was incorrect (and he was perfectly satisfied that it was not so), there was no Member in that House who had profitted so much from partial reporting as the hon. and learned member for Dublin himself. He was given to understand that an Irish newspaper, called *The Tralee Mercury* (the hon. and learned Member smiled; but he (Mr. Methuen) had no doubt that the information which he had received on this subject was perfectly correct)—and three Dublin papers—of course he did not suppose that they were employed by the hon. and learned Gentleman—throughout the whole of the present Session, had reported fully the speeches of the hon. and learned member for Dublin, but had not given a word of the triumphant answers made to those speeches by the right hon. Gentleman, who was now the Secretary of State for the Colonial Department. That this was true he had been informed on excellent authority. If so, it was impossible for him to suppose but that the hon. and learned Member must have seen those papers. But the House had not had any complaint of partial reporting on that account. One word with respect to the reporters. He did not mean to justify the course which they had taken. But human nature was frail; and he put it to the House whether the words which had been used by the hon. and learned member for Dublin, "deliberate falsehood," were not calculated to rouse all the warmest feelings of a man and a gentleman. He had made inquiry into the character of those gentlemen; and he had good reason to believe that they were gentlemen of education and integrity; many of them had been brought up to the Bar; and there were many and proud instances of individuals of the body having risen to high and well deserved honours. At the same time that he thought it exceedingly impolitic on the part of the hon. and learned member for Dublin to bring forward this question, he also thought it exceedingly unnecessary, as every hon. Member must feel how great the pressure of public business was at the present moment. And after all the attention which had been bestowed during the Session to the consideration of Irish affairs, he really did not think that the hon. and learned member for Dublin was entitled to take up their time with the consideration of his private quarrels. He lamented, therefore, the proposition which had been made to the House. Coming from the hon. and learned member for Dublin, it especially surprised him, for to him it appeared to be an act of tyranny, and there was no man in that House who had the word "liberty" more frequently on his lips than the hon. and learned member for Dublin. If the hon. and learned Gentleman would give one practical proof of his love of liberty, by consenting to discharge the present Order of the Day, before the House went to a division upon the question, he would do more to gratify the real lovers of liberty than by all the declamation in the world. He must apologise to the House for having detained them so long. He disclaimed all feelings of a personal nature. He wished that, consistently with his sense of duty, he could have avoided the task which he had undertaken; but he could not consent to allow the House to be brought into a situation of difficulty, from which it might find it exceedingly difficult to extricate itself.

Mr. *Robinson* had great pleasure in seconding the Motion for the discharge of the Order of the Day. He agreed with the hon. Member who had just spoken, that, whatever might be the case at present, this dispute originated in an occurrence with which that House was in no way connected, and which in no way involved any of their privileges. Without, therefore, vindicating in the slightest manner the course which had been pursued by the Reporters, he was perfectly prepared to say, that in his opinion the House would take a very unwise course, if it were prevailed upon to adopt the proposition made to it by the hon. and learned member for Dublin. It was the object of the hon. and learned Gentleman to call the proprietors of one of the London newspapers to the Bar, for reporting the proceedings of that House. It was impossible for him (Mr. Robinson) to deny that that was a breach of privilege. But he begged to ask the hon. and learned member for Dublin with what propriety he could proceed to punish the proprietors of one of the papers, without following up that proceeding by calling all the proprietors of all the papers to the Bar, for they were all equally guilty? He knew that the House had occasionally pursued the course recommended by the hon. and learned member for Dublin. He believed that the last time at which a question of this sort had been brought before the House was in 1771, when the House was prevailed upon to summon the printer and publisher of two papers, in which a report of the proceedings of the House had appeared. And although there was at that time no question, any more than there was now, that it was a breach of the privileges of that House, the consequence was that the proceeding (proposed, he believed, by Colonel Onslow) involved the House on the 8th of February in a perplexity, from which it was unable to disentangle itself before the 30th of April. Gentlemen might indeed well smile. But the period to which he alluded was filled up with angry debates, to the complete interruption of public business, and leading to popular commotion, and eventually to the commitment of two Members of that House to the Tower; and the House was glad to get out of the business by means not altogether consistent with the maintenance of its dignity. The complaint made by the hon. and learned member for Dublin was, not that he had been reported, but that he had not been reported. He (Mr. Robinson) did not mean to defend the course which had been pursued by the newspapers towards the hon. and learned Gentleman. But if the hon. and learned Gentleman had not been reported, how many hon. Members might make the same complaint? And although the hon. and learned Gentleman might suppose that he had great claims to peculiar attention in the reports of Parliamentary proceedings, he (Mr. Robinson) must beg leave to remind the hon. and learned Member, that it was important for the humblest Member in the House to have his sentiments reported, with reference to his constituents, and to enable him to justify the course which he pursued in that House. One of the hon. and learned Gentleman's complaints was, that a speech of his had been put into a single line. Why, he had seen three speeches huddled together in the most extraordinary manner in a single line; but the Members who were so treated, had not thought it worth their while to make any complaint upon the subject. He hoped, therefore, that the House would not be prevailed upon to adopt the hon. and learned Gentleman's proposition. Every other hon. Member in that House, as well as the hon. and learned member for Dublin, was liable to have his sentiments mis-stated by accident or mistake. For he cordially concurred in the opinion, that not only were the reports of the debates in that House given with wonderful fidelity, but that their general accuracy was quite surprising. Of all men in that House, the hon. and learned member for Dublin was the last who ought to have made any complaint upon this subject. He (Mr. Robinson) implored the House to consider well before they agreed to the hon. and learned Gentleman's Motion; for he was convinced, that if they adopted it they would find themselves in a situation which would neither add to the dignity of their proceedings nor elevate their own character out of doors.

Mr. *O'Connell* had heard the speech of the hon. member for Wiltshire with very considerable surprise. When he commenced the controversy he had complained that the reports of the present Session were to his own knowledge exceedingly defective, and to his knowledge also designedly false; and then the kindness of the hon. Member induced him to applaud him [" *No, no," from Mr. Methuen.*] He understood that hon. Member had said as much as that he was misreported.

Mr. *Methuen* declared he had said no such thing.

Mr. *O'Connell* had thought that was the case. The hon. Member had, however, said he (Mr. O'Connell) had some control over the *Tralee Mercury.*

Mr. *Methuen:* I declare I did not say so. I said—but I am in the recollection of the House, and will not repeat it.

Mr. *O'Connell* said, he had heard the hon. Member say so, if the House did not. But the *Tralee Mercury* had nothing to do with it.

Mr. *Methuen* observed, that what he had said was, that the hon. and learned Member's speeches were reported in that paper and not the speeches of his opponents.

Mr. *O'Connell* said, with respect to the three Dublin papers, only one of them had a reporter in London, and that paper was opposed to him. As for himself he should be glad to see all he said published, if it were but done fairly. The hon. Member said truly, that none spoke more in favour of liberty than he did. It was because he had liberty in his heart. But there was a despotism and a tyranny exercised towards this House, and on the part of hon. Members there was a shrinking which he was sorry to see. It was because he hated despotism that he was determined to persevere, and he would persevere, until the present privileges of the House were so ludicrous, that no man would afterwards talk of the dignity of the House. When he used the term "designedly false," it was at a public meeting, at which reporters were present, and might have contradicted him if they had pleased—he would have taken care to get them a hearing. They had all the newspapers at their command, and might have contradicted him and assailed him in any way they pleased. The cause of the quarrel was out of the House, but the reporters had attacked him by declaring (as was stated in *The Times*) that they would not report what he said in that House. By the privileges of the House, no publication could take place, except by the permission of the Speaker, nor could any evidence of Committees of the House be published without his permission. He (Mr. O'Connell) should be very glad that the Debates of that House should go fully abroad, but then they should also be under the correction of the Speaker. It was not right that reports of what was said in that House should be incorrect; they ought to be correct if given at all. If papers went on publishing the business of Parliament, and that incorrectly or falsely, the only remedy was to prevent all reporting. An hon. Member had spoken of the infringement of the liberty enjoyed under sufferance by the Press: he should like to be told if it was necessary he should submit to the infringement of his liberty. The King could not control the liberty he enjoyed; nor could the House of Lords nor the Judges control it; and he would ask the House if it would permit this system of reporting to establish itself as a higher tribunal than that of the King, Lords, and Commons, or the laws of the land? The power possessed by the Press at present was such as it ought not to possess. It had been accumulated by a monopoly of the Press, arising out of excessive taxation, and to so great an extent, that it required a fortune to establish anything in competition. This monopoly was now become a most domineering aristocracy, and it was said, that nothing could put it down; but he had put his hand to the business, and he would try. The reporters boasted that they had succeeded in putting down some of the greatest men the country had produced, that they had overcome a member of the present Administration—nay, that they had overcome the Lord Chancellor himself, and they added to the list the names of Tierney and Wyndham, the last of whom had conciliated them at the end by a dinner. But they should not put him down, and that they would find. It was said, that the time of the House had been taken up with Ireland; but what blessings had the House conferred upon her? She had rather cause to regret than appreciate those attentions. He would have the House not to be misled on this question; but calmly to consider that if its proceedings were not fairly reported in any paper, that that paper was not worthy the sufferance of reporting at all. He wanted to know who were the managers of *The Times*, the reporters or the proprietors. He would persevere, therefore, in the course he had entered upon, and would not abandon it till he had put an end to that tyranny which domineered over the House and the country.

Colonel *Evans* said, that on several occasions he had found it necessary to differ from the hon. and learned member for Dublin, and the present occasion was one of that number. He was surprised that the hon. and learned Member should place so humble an estimate upon his own character in this matter. He recollected having once heard a friend of his make use of a very strong assertion respecting the hon. and learned member for Dublin—he had said, that he conceived, that the hon. and learned Member had rendered more signal services to his country than the King, Lords, and Commons. Now, he never saw an occasion on which a Gentleman had so far forgotten the situation which he held in the estimation of his fellow countrymen as the hon. and learned Gentleman had just done. When the hon. and learned Gentleman placed himself in opposition to the reporters, he surely could not have looked back upon his own career; a character like his was not at the mercy of the reporters. Gentlemen of character inferior to that of the hon. and learned Member were not at their mercy. The hon. and learned Gentleman seemed greatly to overrate the power and influence of the newspapers. The power and influence of a newspaper consisted in its fidelity and accuracy of information, and even *The Times*, potent as it was, would lose all its present power and influence if it ceased to remember its duty to the public. He should not himself have had the power of addressing the House at all had it depended upon that newspaper, for it had advocated his defeat upon two distinct and separate occasions. Indeed, *The Times* and the *Morning Chronicle* had advocated the cause of every candidate who had been defeated since the last general election. Did not that circumstance prove that those papers had no influence save when their power was exercised with justice? They had recently been advocating the claims of an hon. Member of that House to a judicial office in the city of London. Every one who knew the character of that hon. Gentleman knew that he had every qualification to deserve success. He had failed, however, in consequence he believed of their recommendation, in carrying his election, and been triumphed over by a gentleman of much inferior ability. He regretted very much, when, about a week ago, the hon. and learned Member had alluded to the conduct of the reporters towards him, he regretted it, he repeated, very much; yet he thought that it was possible that public good might arise from it. He regretted for the sake of his hon. and learned friend, that he had entered into such a contest with any body of men, and he said this without wishing to depreciate the body with whom the hon. and learned Member was contending. He thought that his hon. and learned friend had forgotten the situation which he held in the public mind. He thought that it would be necessary for the House to consider the nature of their privileges, which placed it at the absolute will of any individual Member to exclude strangers from the gallery. Some of them were quite obsolete, especially that which left this power at the caprice and will of any Member. The remedy for the partiality at present complained of would be found in the removal of those taxes on knowledge which the noble Lord on the other side of the House had censured when in opposition, and had promised to repeal. He thought that competition in literary affairs, as well as in commercial and other public affairs, unembarrassed by taxes, would ensure to the public a due report of the proceedings of that House. He did not consider this as a contest between the hon. and learned member for Dublin and the Press, for the public had an interest as well as the newspapers in having the speeches of its Representatives well reported. The vanity of Members might be consulted in the reports of their speeches, (he was aware that he himself made very bad ones)—the report of those speeches might not be of interest—still, however, he thought it incumbent that the arguments of the leading men in that House, and especially of one who had created for himself an historical memory, should be conveyed with fidelity to the public. He therefore, suggested, with all deference to the hon. and learned Member, that he should allow this matter to pass off. No newspaper could long venture to omit the hon. and learned Member's speeches. He therefore would support the proposition of the hon. member for Wiltshire for the withdrawal of the present Motion. He would move, at some future stage, a substantive Motion that the power of clearing the gallery upon the Motion of a single Member should be referred to the consideration of a Select Committee.

Sir *Robert Inglis* said, the hon. and learned member for Dublin had placed himself and the House in a false position, for he had forgotten that the Members sat there under the fiction, that nobody saw them—nobody heard them there. The complaint here was, not that the printers of *The Times* had violated the privileges of that House, but that they had not violated them. They had not intimated their intention of publishing what hon. Members said; on the contrary, they had declared that, so far as the hon. and learned member for Dublin was concerned, they would never commit a violation of the privileges of the House by publishing his speeches. Now, was not that the sum and substance of the complaint of the hon. and learned Gentleman? It had been stated by the hon. member for Worcester, that this inconvenience had befallen many of the Gentlemen who then heard him. It certainly had befallen him that what he had said a few days ago—he did not complain of it—upon the East-India question, had not gone forth. In the last fortnight he had spoken half a dozen times, and all notice of what he had said had been omitted in the reports. He did not complain of this, for the fact was, that it was physically impossible, that in the space allotted to different matters of this kind in a newspaper, such as foreign correspondence, law reports, and commercial information, you could bring together all that was necessary and desirable for every class of readers.

Those, therefore, who had to administer to the taste of all must be permitted to make a selection. Ladies, as well as gentlemen, were purchasers of newspapers. Some of them took them in for the birth-day dresses, and thus it often happened that debates of importance to the country were sacrificed to make way for the description of a milliner's finery. The hon. member for Dublin, he repeated, had placed himself in an awkward situation. If the printer were at the Bar, was it possible for the Speaker, however great his parliamentary knowledge was, to devise a formal speech to place before him the nature of the offence which he had committed? The printer was not the offender. The offenders were the reporters; but he was perfectly sure that the object of the present motion was to punish them, not for a breach of privilege which they had committed, but for a breach of privilege which they had not committed. The hon. and learned Member had said, that they were now living under the irresponsible despotism of the reporters. He hoped, that those who knew him did not suppose that he was a man likely to submit to such despotism. He hoped, that the House would recollect that some time ago he had attacked, not these *reluctantes dracones*, the reporters, but the editors of the papers themselves. He had attacked those, who commented on the proceedings of the House, and who had called a certain portion of them the lacqueys of the Peers. He felt for one, that he did not deserve such language, and, therefore, he had deemed it his duty to bring the editor of *The Times* to the Bar of that House. He should never shrink from doing that which he conceived to be his duty, nor from bringing those who attacked the privileges of Parliament in that way before its Bar. He agreed in the suggestion of the hon. member for North Wiltshire, for he felt, that, if the present Motion were carried, and the printer placed at their Bar, the House would see the same thing occur again, which the hon. member for Worcester had told them occurred sixty years ago, and thus the rest of the Session be wasted, not in compelling individuals to conform to the rules of the House, but in compelling them to violate all those rules systematically. Now, he thought, that, in a case like this, the House ought to adopt the least difficulty. He had seen *The Times* of that day, and he had read in it a letter from the individual who had been attacked by name on Friday last. The gentleman in question he had never seen, but he had made reference to his friendship with Sir James Mackintosh; and when he said, that any man who was honoured with the friendship of Sir James Mackintosh, might be considered as the equal of the hon. and learned Gentleman, he meant no offence to him. He repeated, that he had never seen that individual, but if it were as he said, that he was the friend of Sir James Mackintosh, he was equal to any Gentleman in that House, and, therefore, some allowance ought to be made for the irritated feelings of such a man. When he was informed that the hon. and learned Member had stated, that he had performed his duty in an improper manner, and had stated that which was false—

Mr. *O'Connell:* Yes; a deliberate falsehood.

Sir *Robert Inglis:* Well, be it as the hon. Member said; still great allowance must be made for the irritated feelings of that gentleman. The offence which the hon. and learned Gentleman gave was not given in the exercise of his parliamentary privileges, but had occurred in a speech which he had delivered elsewhere. Whilst the words "parliamentary privilege" was in his mouth, he could not help looking back to the case of Sir Francis Burdett. He could not but feel that the privileges of that House—which authorized them to attack private persons, and then to act as judges in their own cause, which authorized them to punish summarily all libels upon themselves, and to vent, without fear or shame, libel upon others—were privileges which ought to be exercised with great caution. Whilst the House retained the power of punishing men thus summarily for libels on its proceedings, it should be cautious how it proceeded in defending language which attacked the character and livelihood of those who were as entirely gentlemen as any Member of the House. In using that language he trusted that he was not yielding to the despotism of the Press—he hoped that he should not be considered as conciliating its favour; but the House was in a difficulty, and the hon. and learned Member had placed it in that difficulty; and though he saw some difficulty in the course proposed by the hon. member for North Wiltshire, so far as it regarded the hon. and learned Member, he should support the less of two difficulties which now presented themselves to their consideration.

Mr. *Harvey* thought that, notwithstanding the suggestions which had been offered to the House, there was a difficulty in this question not easily to be surmounted. The substantive matter of this complaint was two-fold—it involved a great public as well as a personal principle; with the public principle he would not deal at present; but so far as the matter was personal, he would say, that after having read the statement of Mr. Eugene Nugent, and heard the charge of Mr. O'Connell, he considered that no difficulty could present itself to their considering it. There was nothing to do but to have the discussion on it referred—and he thought that it might easily be referred—to any of the Gentlemen who had just addressed the House; for, after all, it was a personal question, and nothing but a personal question; and if he were expected, in common with all the Members who then heard him, to adjudicate on the subject, he should look upon it in that light, and in no other. As there had been an appeal made to the House with great candour by the hon. and learned Gentleman, and as the accusation which had been made by him had been repelled in terms which were equally unequivocal by the party accused, who stated that he was as incapable of such misconduct as the party who accused him, the adjudication must turn on the truth of their respective statements. It had been well observed by the hon. and gallant member for Westminster, that good frequently sprung out of inconvenience; and though he agreed that it might be impossible to report *verbatim* all that occurred in that House, the mere circumstance of attempting it would soon work its own cure; for if every Member were to address the House under the conviction that every word which he uttered in the House would appear the next morning in the newspapers, no course could be so effective; and instead of having many Gentlemen complaining that the reporters had not done them sufficient justice, and upbraiding the reporters for not having reported them at length enough, they should have them moving that the masters of those reporters be called to the bar for sending forth their sentiments to the world too amply. For his own part, he had never had any personal communication with the reporters; he had never on any occasion corrected his own speeches; and he had had occasion to think, that a slight measure, and only a slight measure, of justice, had been dealt out to him. He did not, however, complain. He recollected that he had once had occasion to communicate with a reporter, in consequence of a note which one of them had written to him for certain documents connected with his speech on the Woods and Forests. He had gone into the gallery, and in a small ante-room he found several of them together. He was induced to ask them how it happened, that speeches which he read in the morning had so little coincidence in point of extent with the speeches he heard over night, and one of them answered him, and he believed that there was great good sense in the observation; "Do you wish the newspapers to write themselves down? If we stated to the public one-half the nonsense"—he believed that was the word—"which is spoken in that House, we should soon write ourselves out of existence"; and his experience had subsequently led him to concur in the correctness of that reply. His hon. friend, the member for Sheffield, had suggested that great advantage would be derived if the speeches of hon. Members were limited to a quarter of an hour's duration. He thought that a good suggestion. It might be done by the Chairman, whose despotism they all willingly acknowledged, having a glass at one side of him and a bell at the other, and by the fourth estate, whose despotism they all refused to recognize, having a similar chronometer near them. Then, with the exception of the opening speeches of the hon. Gentlemen on the Ministerial benches, who were supposed to be all orators as well as statesmen, and with the exception of hon. Gentlemen who thought it necessary to redeem themselves in the opinion of their constituents by an opening speech in redemption of their pledges at the hustings—with the exception, he repeated, of these great opening displays, if all other Members were reduced to limit their speeches to a quarter of an hour, he was sure that they would be better thought of by the reporters, and would appear better in the mirror of their debates. "I should therefore recommend (said the hon. Member) that you, Sir, should have an hour glass by the side of your chair, or rather a glass for a quarter of an hour, on one side of your chair, and a bell on the other, that when the quarter of an hour had elapsed by your glass, you should touch your bell, and then, if the papers contained a similar memorial to that inserted now, when the hour of three o'clock comes, and when the Speaker is said on that account to leave the Chair—no matter what may be the importance of the subject—why then, Sir, when any hon. Member was in the highest flights of his oratorical fancy, he would at once be let down, on the assurance that his sand had run out. These are the considerations that strike my mind on the subject now immediately before us. As far as the principle of the matter is concerned, I should beg leave to offer a suggestion, which I trust will not be the less acceptable because it is novel. I have no doubt that my hon. and learned friend thinks he has cause to complain: he says, 'Let me have a hearing—give me a Committee, and I will show that I have been wilfully misrepresented.' If so, why let him have his Committee, and the matter will drop there. If the charge is made out, Mr. Nugent will not stand quite as well as I could wish; and we may send our compliments to Mrs. Brodie, and say that her gentleman has not conducted himself as he ought. His connexion with the House, that is, his connexion with the paper, would cease. Though I think, Sir, that this question, as a personal question, ought to be thus got rid of, yet, with respect to the other part of the question, I think we should, adverting to our own character, preserve that character more pure, and add to the dignity of our deliberations, if we could rid ourselves of our habit of talking, and confine ourselves to the substance, and length will then be no longer the test of merit. Now, however, it is so—for whenever an hon. Member is speaking on a particular subject, and I am coming down to the House and meet some hon. Gentleman coming up from it, and I ask who is speaking and how—the answer often is, 'Oh, pretty well—he has only been speaking forty minutes.' The length of a speech is now the test of its excellence. I do not think it ought to be. In my mind he is the greatest man who is able to put the greatest number of facts in the fewest words, and occupy the House for the shortest time. If that were the test for us, I think we should show our good sense more than we do now, and we should not have reason to be alarmed with the prospect of the Session lasting till September."

Sir *Matthew White Ridley* wished to relieve himself from the apparent inconsistency of now voting against a measure he had formerly supported. He should do so because, as the case now appeared, it did not seem to him to be one for the interference of the House. The expression of their sentiments by the reporters for *The Times* had reference to what the hon. and learned member for Dublin had stated elsewhere, and not in that House, as he had at first understood. The hon. and learned Member had stated, that the reporters had mirepresented him. He thought that, if that was a statement made in that House, that no person should presume to call on the hon. Member for words uttered in that place—but when he found that they alluded to a circumstance which had taken place at a tavern dinner, he thought that, calling on him in respect of words so uttered, was not a breach of privilege. That they were unwise in determining not to report the speches of the hon. and learned member he did not doubt; but, under the circumstances he had stated, he was at a loss to conceive that what they said could be construed into a breach of privilege; and he was at a loss to know how their determination could be met by that House. He should, therefore, vote against the Motion.

Mr. *O'Dwyer* said, that the excellent speech of the hon. Member near him (Mr. Harvey) was such as might have been expected from him if he had been Counsel for *The Times* in a Court of Law, and had had a brief to defend the paper; but he must say, that he did not think the hon. Member had treated the subject with great good sense. No doubt the hon. Member would be rewarded for the exhibition of to-day—he would be described as having sensibly and judiciously addressed the House; and no doubt, too, it would be stated, that the hon. Member had sat down amidst loud and long-continued laughter and cheering; and the hon. member for Dublin would have his speech compressed into one line. If anything whatever were reported of him, his speech would no doubt be represented in one line, and use would be made of the editorial power to crush him. It was not the question whether reporters should be allowed to report in that House, but whether they should have a power to exercise as they pleased in suppressing the speeches of hon. Members. In his mind the *suppressio veri* was equal to the *suggestio falsi*. It was as bad that an individual should depend on their caprice as to whether they would insert his speeches or not, as it would be if they put into his mouth words which he had never uttered. He did not wish to curtail the privileges of the Press; but it was most important that Members of that House, who were not sufficiently strong to bear up against this despotism, should be supported. The question would be set at rest by their vote on this evening; if they negatived the Motion, the House could not again assert its privileges. He implored them to negative the proposition, but at that very moment they would bind themselves permissively to throw open that gallery to the public. He was free to admit that the public should be admitted; but as the matter now stood they must remember that if they negatived the proposition, they could not again exercise the power now invoked, nor ever again bring a printer to the Bar of that House. They might say that the time was now come when these matters ought to be free from the exercise of all arbitrary power. In that he agreed with them; but while the Standing Order was on their books, he did not see how they could negative the Motion.

Mr. *Hume* said, that, having been the person who had seconded this Motion, he trusted he should be indulged with the opportunity of stating the view he took of this question. He was not sorry for the difficulty they were now placed in. He had before pointed out the folly of the regulation; but he had been answered, that every rule of that House was founded in true wisdom, and that the check which the Standing Order gave them on the proceedings of the Press ought not to be removed. What was the hon. and learned member for Dublin now doing? Why, he was keeping up the regulations of that House. Was it fit they should be kept up? He said no; and yet there was no mode of showing their absurdity but the manner in which the hon. Member had acted. It was not a question of getting rid of the regulations; but the question was, whether that rule, which gave the power to a single individual to call a person who published their Debates to the Bar of that House, should be acted on. He thought it should not; and the way to get out of the difficulty was, to adjourn this question, to bring their standing rule under the consideration of a Committee, and to withdraw it; and then no one could again place the House in this position. If they chose to waive the question of publishing their Debates, which he thought it was wise they should do, then he asked, whether they did not desire that their Debates should be honestly and fairly given? He would not enter into the personal question between Mr. Nugent and Mr. O'Connell. The question for the consideration of the House stood upon broad public grounds; and if the House desired that their Standing Order should be maintained, his hon. and learned friend might go on, and deprive the public of knowing anything which passed in that House. He apprehended, that if they went on under this order they must exclude all or none. Either they must not allow their Debates to be published at all, or they must allow every person to come in, and then they could have no right to complain. Let them repeal their own Standing Order, and leave the newspapers. He wished to mention a matter which he had just heard. It was this, some of their Debates had been lately very much curtailed. The reporters were occupied in the other House, and that accounted for the shortness of some of their Debates. He appealed to the noble Lord opposite, whether it would not be better to adjourn this question, to take the Standing Order into consideration, to annul it, and to leave the question open. Then, let an authorised reporter be appointed to give their Debates. That scheme appeared to him practicable; but the idea that the hon. member for Dublin should give up his Motion, while the Standing Order remained, was preposterous.

Mr. *Bannerman* wished to make a short statement on behalf of the reporters of the Morning Papers. He desired to say, on their behalf, that they denied most positively the charges of wilful misrepresentation brought against them by the hon. member for Dublin, and they confidently appealed to that House for the truth of that denial; at the same time they were aware of the inconvenience that arose from the resolution of suppressing the speech of any Member, and they had only adopted it for the purpose of enabling them to procure a public contradiction in that House of the charges brought against them by the hon. member for Dublin. He should now only add, that he was glad to see the hon. Member was beginning to break the neck of newspaper monopoly, by entering into competition with them himself, and beginning to be a newspaper proprietor; and if the hon. Member would withdraw the present Motion, he would subscribe to the paper.

Mr. *O'Connell* denied, that he had had or should have anything to do with being the proprietor of a newspaper.

Mr. *Bannerman:* Why, he had received a resolution to that effect, signed by the hon. Member.

Mr. *O'Connell* said, that he only signed it as the Chairman of a meeting.

Sir *Robert Peel* said, that it would well become the House to consider, before they took the first step, to what it must lead. At the same time he perfectly saw the nature of the complaint. The hon. and learned Member admitted, that the privileges of that House were not observed by the reporters—that they connived at the non-observance of them — that he was ready to acquiesce in that non-observance; but then he insisted that the reports should be impartially given. The question, however, was, whether the course the hon. Member proposed to pursue, would enforce that impartiality. The hon. and learned Gentleman had skilfully tried to prevent any man from taking a different view of the subject from himself, by calling that difference of opinion "a shrinking." He did not know whether he (Sir Robert Peel) was to be accused of shrinking under the despotism; but he certainly differed from the hon. and learned Gentleman on this subject. For himself, he had been unpopular with almost all parts of the Press, but at the same time nothing had deterred him from stating what was true. He had been twenty years in Parliament, and he had never had reason to complain of any wilful misrepresentation, or omission amounting to anything like a misrepresentation; and he had never had any communication with the gentlemen who reported the Debates, beyond once or twice furnishing them with documents which he had referred to in the course of his speech. He thought, on the whole, looking at the necessity of having these reports, both in that and the other House of Parliament, considering the intention of supplying the public with a general transcript of what took place in the two Houses, that the task thus undertaken was performed with great impartiality and fidelity. He would mention another circumstance. He had been in office fifteen years, and he had never received any communication directly or indirectly from any gentleman connected with the newspapers—and he thought it highly creditable to the body—asking for a single favour, on condition of placing his speeches in a favourable light. Whatever testimony, therefore, he bore to their conduct, had this recommendation, that it was completely impartial. He must say, when the hon. and learned Member stated himself to possess a power in that House which should not be controlled by King, Lords, or Judges, the hon. Member ought to recollect, that because he did possess such a power, for the exercise of which he was completely irresponsible, he should use it temperately. If the hon. Member spoke of the whole body of reporters as giving his speeches not only not correctly, but in a manner decidedly false. [Mr. *O'Connell* only alluded to *The Times.*] He must be allowed to speak from his recollection—the charge was general.

Mr. *O'Connell* intended to confine his remarks to the Paper that was now before them.

Sir *Robert Peel:* Then why did the hon. and learned Member first bring forward a Motion against *The Morning Chronicle?* He understood that there were forty or fifty reporters, some of them holding commissions in the Army and Navy, several at the Bar, most of them having received an academical education, and occupying, therefore, the situation of gentlemen. They naturally felt sore at the imputation of "designed, deliberate falsehood." He was bound to say this in their vindication. At the same time he could not think that any wrong they might endure from the hon. and learned Member could justify them in suppressing his speeches. They were, though not officially or publicly recognised as such, yet they were, in fact, public servants—they entered into an implied engagement, of fidelity in their reports, not only with that House, but with the public; and whatever wrong they might have reason to complain of from an individual Member, they ought to recollect that they had a paramount duty to discharge to that House and the public, and ought not to make a private quarrel with any individual a pretext for the neglect of that duty. If the hon. and learned Member would only pause awhile, he would have complete justice rendered him. What was the volume to which he had referred?—It was *The Mirror of Parliament*. Did he complain of that?—No. The reporters for that publication had not entered into any resolution to suppress his speeches; and a month would not elapse without that or another publication being more sought after; or some other newspaper would be established, and do justice to the hon. Member. The Motion was, that the printer should be brought to the Bar. It was material to consider what would take place when he came there. The charge against him would be perfectly intelligible—namely, that he had not given a fair and full report of the debates. It savoured rather of a jest to say, as had been said, that the complaint would be, that the reporter had not violated their privileges. The complaint would be, that professing to report their debates, he did not act impartially. But what assurance could they exact from him? A promise that he would publish all the debates correctly. Would it be possible, as their Orders now stood, to exact such an assurance? Could the Speaker require from the reporter a pledge that he would fairly and impartially report debates—the reporting of which at all was a manifest breach of the privileges of that House? The hon. Gentleman had the power in his own hands—he might clear the gallery; and if he did anything, that was what he ought to do. The hon. Member said he would do it; then let him do it manfully in the first instance. They were about to call before them one proprietor of a newspaper. Observe what would be the consequence of their embarking on this perilous voyage. The hon. Member said, he would inquire whether the reporters were masters or servants; and if servants, he should insist on their dismissal by the proprietors who employed them. He threatened to begin with *The Times* newspaper, and pursue the same course with all the others. Was this a very seemly contest for the House of Commons to engage in? Was it fitting that the House should undertake to prescribe to newspaper proprietors whom they might or might not employ as reporters? The hon. Member might delight in such contests, but the House had better pause before they committed themselves as parties to them. The hon. Member, if he wished to resort to the step of stopping the publication of the debates, had only to do that which had been done before—to notice the presence of strangers in the gallery, and exclude them. That was the natural and proper course. In his opinion the hon. Gentleman would be better advised; if he would pause altogether, he would shortly find ample justice done to him by competition—by desire to supply the public with information. He, for one, should object to the House of Commons being brought into collision with the editors of newspapers. By attempting to dictate to them the mode of managing their concerns, and the persons they were to employ, the House of Commons would be undertaking a task they could not execute, and assuming a power which they did not rightfully possess.

Lord *Althorp* said, that the right hon. Baronet had very fairly stated, that the House ought to take care before it involved itself in the commencement of a contest out of which it would be impossible to extricate itself with honour. Where this question of privilege had been brought into action, there always had been found a very considerable difficulty. He must say, that whatever had been the difficulties which had occurred before, they must have been very small in comparison to those which in this case must arise, for the very fact was not a breach of privilege, but a desire that the privilege should be broken, and an anxiety that people should break it more extensively. He conceived that the improper course which the House was called upon to adopt would place it in a situation of the greatest possible difficulty that could be imagined. He was rather surprised that the hon. and learned member for Dublin should put so much importance on having his speeches reported, and, considering the estimation in which the hon. and learned Member was held, he (Lord Althorp) should have supposed that the hon. and learned Member could not have thought for a moment that he was called upon to bring forward this question as a serious question. The hon. and learned Member had said, that he was placed in the same situation in which hon. Members on previous occasions had brought their cases before the consideration of the House; but he must observe that the hon. and learned Member, in his opinion, would have consulted much better his own situation and his rank in society, by not entering into such a contest. The position of the hon. and learned Member must certainly be particularly disagreeable to a Gentleman of his eloquence, but at the same time this could not interfere in the slightest degree with his duties in that House. He hoped that hon. and learned Member would not persevere in his Motion, but if he would choose to persevere he ought to take the responsibility of perseverance entirely upon himself. The House would do well to avoid engaging in the contest in which it would be involved, if it were to assent to the Motion of the hon. and learned Member.

Mr. *O'Connell* meant to persevere, and bring this question before the House every time *The Times* published an account of their debates. Others might not have done so—they might have consulted their quiet; but he would not allow any man to punish him. He insisted on an apology, and would not allow any violation of his rights by any person whatever. No person could say, that he was made an outlaw. He called on the Speaker to state his opinion of their privileges, and to say whether the House could be justified in refusing his Motion while the Standing Orders remained on their books. If any one would move to rescind that Standing Order, he would vote for it; but while the Order remained he should insist upon it. If the House shrunk from this Motion, he should, but not till then, clear the gallery. He did not anticipate that the House would refuse the Motion.

The *Speaker* having been directly called upon by the hon. and learned Member, said: I should be sorry to be backward in answering his question; but I confess I do not clearly understand what point it is on which he requires information. If the question is, whether the publication of the debates of this House is a breach of the privileges of this House, I say that it is a breach of privilege, and I believe that nobody ever doubted that it was; and there is no man who ever viewed the constant violation of the Standing Order of the House as anything but permissive, for the benefit of the public; and, therefore, as consistent with the views of this House in allowing what they have deemed would be for the public advantage. If the hon. and learned Member means to ask this question, the House is aware of the answer; but if he means further, whether, that being so, the House can alter or enforce the Order in each particular case, the answer I should give would be that the House retained the right of interfering or not at their pleasure, and would exercise their power according to the judgment they formed in each particular case. I am not certain whether I have answered what the hon. and learned Member meant to ask with respect to this particular case. I should say that the complaint and the grievance are both heavy; but the complaint is of one description, the grievance of another, and dealing with the complaint will not be a cure for the grievance. Under these circumstances, the House must, on this occasion, as on all others, decide whether they would carry their Order into effect or not. I shall not go further now than to say, that the question is, that the Order of the Day be read, and in this instance no Amendment can be moved, but subsequently on that will arise the question whether that Order shall be executed or thrown out.

Mr. *O'Connell* wished to know whether there was any instance of this kind in which the House had refused a Motion such as his? He had looked into the Journals, and found none.

The *Speaker*: If the hon. and learned Member says, that he has looked into the Journals, I should be sorry off-hand to oppose my distant recollection to his recent inquiry; but I must say, that my recollection is that many hours of the time of this House have been taken up, not in a debate whether a certain matter was a breach of privilege, but whether the question was upon the whole such a one that the House ought or ought not to interfere with regard to it. The mere right to interfere was never called in question.

The Order of the Day for the attendance of Messrs. Lawson, was then read.

Mr. *O'Connell* moved that they be called in.

Mr. *Methuen* moved, as an Amendment, that the Order be discharged.

Mr. *John Stanley* seconded the Amendment.

Mr. *Kemyss Tynte* hoped that the hon. and learned Member would withdraw the Motion. When it was first agitated, he thought it was something feasible. He found that that was not so. He should now oppose it; for the hon. and learned Member was now attempting to trench on the liberties of the Press, and through them on the liberties of the people. This day three years he (Mr. Tynte) stood at the barricades in Paris, and he well remembered that one chief reason why the then king lost his throne, and was driven from his capital, was, that the Journals had appeared one blank, in consequence of the censorship. The hon. Member spoke of the censorship of the Press, and of the Speaker as censor; but he (Mr. Tynte) should never consent to any censorship, not even with the Speaker as censor. He hoped the hon. Member would withdraw his Motion, and if he considered that this was the only mode the reporters had of testifying their feelings, at a charge of being guilty of uttering wilful falsehoods, he could not wonder they should have adopted it. Even the worm, when trod on, would turn, and there were among those Gentlemen many who had as high feelings as any Members of that House.

Mr. *O'Connell* said, there was no man on that side of the House whose opinion he should be more proud to follow than that of the hon. Member who had just spoken. The hon. Member had said, that one of the causes of the Revolution of July, was the appearance of blank Journals. That was what he complained of—a censorship over that House, which should not be established through his person. Then he came to the charge. If he was right in it, was it not his duty to make it? The manly course was to make charges, if he was able to sustain them. He should be content to have that hon. Member, and the hon. Baronet, the member for the University, as arbitrators in this matter. His charge was a matter of fact, and if he did not prove it, there was no concession he would not make. The reporters had announced that they would outlaw one of the Members. Under these circumstances, the House might do what they pleased with the Motion.

Mr. *Finn* was bound to state the grounds of his differing from the hon. and learned member for Dublin on the present occasion. The privilege of the House had certainly been mocked and set at defiance, but he would not vote for any proceedings against any individuals upon the Press, for he wanted to get rid of the privilege altogether, which was absurd and useless. For his part, speaking personally, he was little indebted to the Gentlemen of the Press, but he could not consent to punish an individual for misreporting when he reflected that the House was too small, the reporters were badly accommodated, and that they were placed under every possible disadvantage of seeing and hearing, and of performing their most arduous, difficult, and important duties. He was sorry that the House had neglected the advice of the hon. member for Middlesex in his proposition to build a new House for the better accommodation of its Members. He never could vote for such a proposition as that of the hon. and learned member for Dublin; let it come from what quarter it might, but he would be always ready to vote to get rid of the absurd and useless privilege which the House never could exercise, and ought never to enforce. Hitherto the House had punished persons for violating the privilege, but now the proposition was to preserve the privilege whilst they punished men for not violating it. He had no reason to be satisfied with the reporters. He had been treated, he would not say with neglect by them, but with misrepresentation. Some of the reporters had put into his mouth words he had never uttered, and in the mouths of other hon. Members words against him, which had never fallen from them. He could not be actuated by personal motives in the discharge of his public duties; and, notwithstanding what he might feel at the treatment he had experienced, he could not on that account be induced to vote against the reporters on the Motion now before the House.

Sir *Francis Burdett* observed, that they had now entered into a wide field of discussion. He regretted that the hon. Member should think it his duty to bring forward this question, and he did not see by what possibility the House could enter upon the discussion of it. The reporters said that a groundless accusation of wilful misrepresentation had been brought against them. Some of that body he knew were as respectable men as any Gentleman in that House; and when such charges were made against them, it was not to be expected that such men would endure it with patience. Whether the course they had adopted was a proper one or not he would not pretend to say, but what else could they do? The hon. Member said they misrepresented him — they denied it; but the House could not enter on that question. That battle had been fought on other occasions, and on better grounds than now; but it had always been found that that House had not the means of extricating itself with credit from contests of this description. He wished to say that there was much disparity in the contest. The question was, whether the reporters had violated the privileges of that House? It was answered, that they had, because there was a standing order which they had infringed, but that was not culpable, for in what they had done they had gone along with the well-understood concurrence of the House. Whether their reports were contrary to the fact could not be tried now. If the House considered men's feelings—and these gentlemen had feelings as much alive to the charge of misrepresentation as any Member of that House—they would not wonder at what had occurred. Many hon. Members had been passed over before now, but they never thought of making these complaints. The public had suffered the loss of the speeches of Tierney and of Windham; and it was indeed a loss to the public. He saw no means of remedying such occurrences, but to leave the matter to the competition of the Press. There was abundance of reporters — let the hon. Member have one of his own, and the papers that inserted his speeches would probably receive the reward of doing so from the public. There were no means of effecting the object so fair and impartial as this. He was aware that many Gentlemen thought their speeches curtailed; but that it was purposely done to wound them, was a charge he did not believe the members of the Press capable of. This was a matter out of the jurisdiction of that House, and any thing they might do would be nugatory.

Colonel *Evans* had been informed of a circumstance within these few minutes, which he would state to the House. Perhaps the House might recollect that a few evenings ago he had been caught napping; and one of the Evening Papers (he did not mention it by way of complaint) had published a violent letter, exposing the ridiculous way in which he had been carried in and compelled to vote by the Speaker against his consent. The Paper in question had represented that his public character was now totally lost, and that he himself was utterly degraded. If he pursued the course of the hon. and learned member for Dublin, he should now be very angry; and call on the House to assert its privileges in his behalf; he looked upon it, however, without any feelings of anger; and if the hon. and learned member for Dublin would only look on his case with similar good humour, he believed that it would soon pass over.

Mr. *Aglionby* said, the privileges of the press were invaluably important to the country, and he would never shrink from supporting them, but, at the same time, he would never shrink from raising his voice against its abuses. If the reporters avowed a determination to suppress any speeches uttered in that House, he would put it to the House whether it would not feel itself bound to visit such conduct by its interference. He regretted very much that this Motion had ever come forward, but, now that it had been brought forward, he put it to the House whether the question could be dismissed as a matter merely personal to the hon. and learned member for Dublin? He hoped that the House would look at with a wider scope, and would at once grasp, the difficulties. The suppression by the reporters ought not to be treated by the House merely as a punishment on the hon. and learned member for Dublin. If the public speeches delivered in that House concerned the country — if the country were a party concerned in having the debates of that House reported—then, as reporting was a decided breach of privilege, it could only be performed by a sort of implied compact with the Press that the publication should be fair, and free from all partiality whatever. When the hon. member for Westminster spoke of the inaccuracies of the Press, he begged to remind him that this was not a case of inaccuracy, but of total and wilful suppression. If this had been a mistake, he should have been the last man in that House to make it the subject of severity. No man in that House or out of the House would more readily bow to the great difficulties under which the Press laboured with respect to locality, with respect to the difficulties of seeing and hearing, with respect to the difficulties of selecting and condensing, and, in short, with respect to the innumerable obstacles with which the reporters had to contend; but all this was different from a wilful suppression and a combination or conspiracy to suppress. He had heard that night the simile of the worm turning. If the hon. and learned member for Dublin had done injustice to the reporters, no man, he hoped, would be more willing to make reparation. If he thought the hon. Member would not, he would not, for one single moment, take the side of the question he was now taking. Let the worm turn in a proper way, and make a remonstrance to the hon. Member. The feelings of the House and country would then be with the reporters. This was not a personal matter: but one in which the country was concerned, deeply concerned; but how the House was to get out of the matter he did not know. The House had a privilege which it was inconvenient to continue, and a dignity which it did not know how to enforce.

The House divided on the Amendment—Ayes 153; Noes 48: Majority 105.

List of the NOES.

Attwood, T.
Barron, W.
Blake, Sir F.
Blake, M. J.
Buckingham, J. S.
Callander, J. H.
Chapman, A.
Clay, W.
Copeland, Alderman
Cornish, J.
Daly, J.
Faithfull, G.
Fancourt, Major
Fitzgerald, T.
French, F.
Halcombe, John
Handley, B.
Harvey, D. W.
Hawkins, J. H.
Hudson, J.
Hume, J.
Humphery, J.
Jephson, C. D. O.
Marsland, T.
Martin, T. B.
Maxwell, J.
O'Connell, M.
O'Connell, J.
O'Dwyer, A. C.
Oswald, R. A.
Oswald, J.
Parrott, J.
Pinney, W.
Richards, J.
Romilly, E.
Romilly, J.
Roebuck, J.
Ruthven, E.
Ruthven, E. S.
Stormont, Viscount
Sullivan, R.
Vigors, N. A.
Wallace, R.
Warburton, H.
Wilbraham, G.
Young, G. F.

TELLERS.

Aglionby, H. A.
O'Connell, D.

On Business again proceeding after the division, the Gallery was immediately cleared on the notice taken by Mr. O'Connell, that it contained strangers, and it was kept closed for the remainder of the evening.

ABOLITION OF SLAVERY.] The House went, it was understood, into a Committee on the Slavery Abolition Bill, and Lord Howick moved, "That no apprenticed labourer should be liable to be flogged unless convicted of conspiracy and mutiny."

On this question the Committee divided, and seventy-four Members voted for the noble Lord's Motion. The following is a list of those who supported the noble Lord.

ENGLAND.

Aglionby, H. A.
Blake, Sir. F.
Bouverie,—
Briggs, R.
Brotherton, J.
Buckingham, J. S.
Buxton, T. F.
Cayley, Sir G.
Chichester, J. P. B.
Clay, W.
Dawson, E.
Evans, W.
Ewart, W.
Faithfull, G.
Fancourt, Major
Fielden, J.
Frankland, Sir R.
Fryer, R.
Gore, M.
Handley, Major
Handley, W. F.
Harland, W. C.
Harvey, D. W.
Hughes, H.
Ingilby, Sir W.
Jerningham, Hn. H. V.
Kennedy, T.
Key, Sir J.
Lambton, H.
Langdale, Hon. C.
Locke, W.
Lushington, Dr.
Marjoribanks, S.
Marsland, T.
Methuen, P.
Parker, J.
Parrott, J.
Phillipps, C. M.
Plumptre, J. P.
Potter, R.
Poulter, J. S.
Sanford, E. A.
Scrope, P.
Seale, Col.
Shawe, R. N.
Staveley, T. K.
Tancred, H. W.
Thicknesse, R.
Throckmorton, R. G.
Trelawny, W. L. S.
Turner, W.
Tynte, C. J. K.
Tyrell, C.
Vincent, Sir F.
Walter, J.
Wason, R.
Wedgwood, J.
Wilks, J.

SCOTLAND.

Agnew, Sir A.
Johnston, A.
Sinclair, G.

IRELAND.

Blake, M.
Evans, G.
Finn, W. F.
Grattan, J.
O'Connell, D.
O'Connell, M.
O'Connell, J.
O'Dwyer, A. C.
O'Reilly, W.
Ruthven, E.
Ruthven, E. S.

TELLER.

Howick, Lord

The Committee to sit again.

* * *

HOUSE OF LORDS,

Tuesday, July 30, 1833.

MINUTES.] Bill. Read a second time:—Holyhead Roads. Petition presented. By the LORD CHANCELLOR, from certain Tenants in Perthshire, for the Right of Shooting Hares and Pheasants on their own Farms.

PORTUGAL.] The Marquess of *Londonderry* rose to call the attention of their Lordships to the singular notification of blockade which he had recently brought under their consideration, and upon which he had endeavoured to obtain some information from the noble Earl at the head of his Majesty's Government. The only paper which had been laid on the Table of their Lordships' House was so meagre in itself, and furnished so little information with respect to the blockade, that he could not help thinking there must be some further and stronger document not yet produced, or surely the noble Earl would not, on so slight a foundation, have consented to recognize a blockade so prejudicial to the commerce of this country. If he were asked, whether he expected to derive any advantage from thus occupying their Lordships' attention, he must reply in the negative. Why, then, it might be said, did he bring the question forward at all? His inducement was a conscientious feeling of duty both to England and to Portugal. In the latter country he had served during the best period of his life. He had there, at an humble distance, followed the footsteps of the noble Duke near him (the Duke of Wellington), and he took a most sincere interest in the welfare of the people of that country, from whom, not only he himself, but the British army generally, had received repeated marks of kindness. So long, therefore, as he had a legislative voice in that Assembly, he could not bear to see his Majesty's Government acting towards that country in so partial, unjust, and unpardonable a manner, without, at least, expressing his opinion on the subject. Don Miguel was, by the voice and will of the people of Portugal, king of that country. The noble Earl could not deny that Don Miguel was as much king of Portugal, as Louis Philippe was king of France. He could not promise any good results from his Motion, because, if the noble Earl thought proper to adopt the means in his power to arrest any information, he might do so. He, however, had a right to examine into the validity of this blockade; and in order to do so, he requested their Lordships to consider how far the notification given was in conformity with other similar notices. He should not venture to argue upon his own information upon this subject, but he had endeavoured to collect some authorities which he conceived to be good, as regarded the course which had been taken by the Secretary of State for Foreign Affairs. The noble Marquess then proceeded to read an opinion of Sir William Scott on the subject of blockades, to this effect:—'To constitute the legal effect of 'a blockade, two things are held to be 'necessary—that an actual blockade shall 'exist, and that some notification shall be 'given of it, either by public declaration 'to foreign States, or by notice and warning to the individual ship charged with 'breaking it. Of these, the actual blockade is most essential, since, without that, 'a notification avails nothing, as it has 'been held by the Lords of Appeal in the 'case of the Proclamations issued by our 'Commanders in the West Indies, and 'published afterwards by our Minister in 'America. It may be laid down as a 'fundamental principle, that it is necessary that some actual blockade should 'exist, and that a notification is not of 'itself sufficient to raise the presumption 'of a blockade.' And again, 'in the very 'notion of a complete blockade, it is included, that the besieging force can 'apply its power to every point and part 'of the blockaded State. If it cannot, it 'is no blockade of that quarter where 'its power cannot be brought to bear.' Thus it appeared that an actual blockade was most essential, without which no notification was sufficient to raise even the presumption of a blockade. Sir William Scott also gave it as his opinion, 'That if the blockading Power had not 'sufficient force actually to blockade all 'that portion of the coast which it declared 'to be in a state of blockade, the notification could only be considered good as 'applied to those ports which were really 'blockaded.' How did this opinion agree with the blockade of Viscount Palmerston? He held in his hand the letter which was the foundation of the blockade, which he would read to the House. The noble Marquess then read the letter, commenting on it as he proceeded. The despatch commenced by announcing the victory obtained by Carlos de Ponza, which it described as reflecting glory on the arms of the two nations—Portugal and England. which had been allied for so many years, The noble Marquess repudiated the idea of considering England as either directly or indirectly engaged in the contest, much less would he consent that the exploits of a crew of Buccaneers should be deemed to reflect either honour or disgrace on the arms of England. The letter then went on to state 'that the 'Vice-Admiral Carlos de Ponza was 'preparing to blockade Lisbon without 'delay, and that probably at that moment (*i. e.* the moment of receiving the 'letter), the instructions of the Regent of 'Portugal on that subject would probably 'have been carried into effect.' This, it appeared, then, was the only ground which his Majesty's Ministers had for declaring the ports of Portugal to be in a state of blockade. They had no actual blockade—no notification of a blockade, but merely a notice of a probable blockade of one port—that of Lisbon. [Earl *Grey*. All the ports were mentioned in the letter.] Still it was but notice of a probability. He could not but believe that there must be something beyond this letter. Surely there must be some other documents which were not produced. This letter looked so like as if it had been made up in this country, that if those men in Don Pedro's service should do anything, then advantage should be taken of it here. The noble Marquess then proceeded to read several documents to show that Government had not been impartial in their conduct as respected the blockades of Lisbon and Oporto, and that with regard to the former, they had, in the instance of some shipments which were made at Villa Nova, of wines belonging to British merchants, refused to acknowledge the blockade, as they had no means of judging whether or not it would prove effectual. Surely the same argument applied with still more force in the present instance; and that Viscount Palmerston should admit one blockade, and refuse to recognize the other, was, in his opinion, an instance of most gross partiality. He had had the honour to know the gentleman who was now, he believed, called the Marquess of Palmella, and was become, he understood, a strong Constitutionalist and a Liberal. If report spoke true, he was now about to establish a Constitutional government in Portugal. His change was very remarkable—it was only to be compared to that of the noble Earl opposite (Earl Ripon). He remembered the time well when that noble Earl fought under the banners of a lamented relative of his, of whose principles the noble Earl seemed now strangely forgetful. In other circumstances the two cases were alike. Both the noble Lords had received a new office, and, he believed, an additional honour, from their respective Sovereigns. But the change in these individuals was not so great as the change which had been made in our foreign policy since the noble Earl was in office with his late relative. There was but one opinion, he believed, of the present policy—at least he knew that the opinion he entertained of it was generally entertained in the City of London. To show the effect of the communication, he should read to their Lordships the following letter which he had received upon the subject from a well-informed person in the City, and which would at once show the opinion that was entertained with respect to this blockade in the mercantile world;—'It is a fact that amidst 'the anomalies of the present day no event 'ever excited so much surprise among us 'merchants in the City as the notice of 'the 15th. Practical men at the time 'considered the blockade of Madeira as a 'wanton outrage upon the commerce of 'neutral nations, because it was instituted 'without the smallest chance of attaining 'the object which alone could warrant a 'recurrence to so extreme a measure; 'because it could not, with such a force 'as that applied, be rendered either effective or permanent; and finally, because 'the Government, or Power, thus interrupting the usual pursuits of trade, 'although in possession of a few vessels 'of war, had no Courts of Admiralty for 'the trial of prizes; no means, no consistency, sufficient to make it answerable 'for the injuries inflicted on neutrals. 'On these principles the Americans acted, 'and, in order to show their disapprobation of the interference with their trade 'by the Madeira blockade, the first of 'their frigates that visited the spot actually broke it, even without special orders 'to that effect, and the conduct of the 'Captain was highly approved of by the 'Government and people of the United 'States. And is the same contrast with 'the conduct of our Government again 'to be witnessed? Are we to be seen 'acknowledging a blockade which the 'Americans, acting on the very same principles which we have taught them, 'and enforced against them, for the mere 'protection of their trade, and in vindication of neutral rights, deem it their duty 'to disavow and break?' This letter confirmed him in the opinions which he entertained of the conduct pursued by the noble Viscount, the Secretary for Foreign Affairs, and that not only the law of nations but the neutrality declared by the King of this country had been violated. He was the last man disposed to speak of any professional man, or of any public meetings, with disrespect, but he could not avoid referring to the meeting which had been held the other day in the City, to consider of the means of rewarding and remunerating an Officer who had gone into the service of Don Pedro against the laws of the country, and been dismissed his Majesty's service. Speaking as a professional man, he was sorry that any such meeting should have been held for any such purpose; and he was sorry that an illustrious Duke (His Royal Highness the Duke of Sussex) had presided at that meeting. He hoped he should never forget the respect which was due to that illustrious Duke, who had, on so many occasions, lent his services to promote the cause of charity and benevolence, and who was distinguished by his zeal and attention to whatever served the cause of humanity; but he was sorry that the illustrious Duke should have been advised to preside at such a meeting, or express an opinion on such a subject; for it was necessary that he should take care, and not by his illustrious judgment give countenance to what might be injurious. He had every respect for that illustrious person; but he thought he had a good right to express his opinion of that illustrious person's conduct; and he did feel great regret, as a professional man, that the illustrious Duke should have presided at a meeting, which was intended to reward a British sailor who had broken through the laws of his country. If such meetings were to be held in obedience to the *vox populi*, and encouraging disobedience to the laws, that must be, he thought, full of danger. To hold out reward for such conduct must be injurious. The illustrious person might himself, by the decree of Providence, be called to the Throne; and then, should persons violate the law, he could not feel otherwise than indignant at proceedings to countenance the violation. Nothing but a strong sense of duty could have induced him to say thus much; for he repeated, that he had great respect for the illustrious Duke, but he could not do otherwise than look at the dangerous consequences of disobeying the King's commands; and he thought it was their especial duty not to separate themselves from the Throne when there was a party continually endeavouring, by eulogizing one, to destroy the other. There was a disposition, too, at that meeting, to run down one of the parties in Portugal, and those who took the side of neutrality, and were not prepared to disobey the laws, were called factious; and it was such imputations which made him take notice of the meeting. He submitted to their Lordships, whether he, as a soldier, could know that rewards were bestowed on a sailor, for breaking the laws, without being induced to make such observations? With respect to the blockade, it appeared as if the noble Earl was entirely ignorant of the subject. He must say, that since the noble Earl had taken the direction of affairs, too much had been left to the Foreign Secretary. If he were to state what he knew, he must say, that he believed there was somebody behind the curtain. He would say, boldly, that he believed Prince Talleyrand was the man who directed the whole foreign policy of this country. From him emanated all our proceedings. He maintained that all our acts were of that nature, that if they were under the direct control of France, they could not be more beneficial than they now were to that Power. He desired, if there were any further official papers, which could be laid on the Table, before the issuing of the notice as to the blockade, to have them, as he wished, before moving for the papers he intended to ask for, to know if the noble Earl had any objections to make to the production of them. He should move, first, for a Copy of the letter sent to Viscount Palmerston, by the Chevalier de Lima, of July 15th, which certainly was the most absurd and stupid letter that he ever read; secondly, he wished to have a Copy of any Communication touching the blockade of Portugal, which had been made to the Secretary of State for Foreign Affairs before the 25th instant. The noble Marquess concluded by apologizing for having trespassed so long on their Lordships' time, and was sitting down without moving for the papers, when cries of "Move, move!" reminded the noble Lord, and he put his Motion in the hands of the Lord Chancellor, who put it from the Woolsack.

Earl *Grey* said, he was not prepared that the noble Marquess would bring the statement he had made under the consideration of the House, in moving for the papers. If, however, he was prepared to go into the statement of the noble Marquess, he should regard the nature of the Motion of the noble Marquess as an improper occasion for doing so. He was now not unwilling to go so far as was necessary, and that was only into a narrow field. Throwing aside what the noble Marquess had said of a personal and extraneous nature, throwing aside what the noble Marquess had said of the general foreign policy of the country, for discussing which there had already been, and would again be opportunities, throwing aside what the noble Marquess had said of Captain Napier, and the statements he had made of the meeting in the city, he should only require to trespass for a few minutes on their Lordships' time, while he made some remarks on the question of the notice given in the city relative to the blockade. The noble Marquess said that it was most extraordinary, and he could not understand it, that we, professing neutrality, should have lent ourselves to one party, and that the blockade was one which ought not to have been recognised by this country. There was not, however, one but many examples of this country having followed the very course now objected to by the noble Marquess. He was one of the last men who would oppose those principles of the public and general laws of nations which had been so well laid down by the able and learned civilian who had so long presided in our Admiralty Courts. He subscribed entirely to the doctrine that a blockade, to be respected, must be effectual, and that none other was effectual. The question was, whether the blockade was effectual? The first inquiry of all was, what had been done? Upon the communication made to the Foreign Office by a person signing himself, not as the noble Earl said, but as the Agent of the Portuguese Regency, a notice was given at Lloyd's that such a blockade was to be instituted. The letter might be, as the noble Marquess said, absurd and stupid, though he did not know on what ground the noble Marquess found fault with it; certainly there were some expressions in it which might as well not have been used. But what he had to do with was the substance of the letter which announced a blockade. As he had stated, that letter intimated that the Queen's Government had come to a resolution to blockade Lisbon and all the ports of Portugal. The noble Marquess said, why was a notice given when it could not be supposed that there was any means of carrying the blockade into effect? The noble Marquess stated that the Regency had not the means of making the blockade legal and effectual. But were there no means? Had not the Queen a naval force, which had just gained a signal victory, and annihilated the naval force of Don Miguel? A few days would be sufficient to refit that victorious fleet, and enable it to establish a blockade. Nobody could believe that an officer of the great capabilities of M. de Ponza, who had just distinguished himself by his great exploits, would be unable to equip his squadron in the bay of Lagos, or would be idle there, and be unable to carry the blockade into effect. A few days would suffice. The noble Duke had said formerly, that it would not require much time to fit out the squadron. It should be remembered that the squadron had sustained little damage—that there had been no cannonading, and the ships were carried by boarding. One of the best of those ships had surrendered without firing a shot; and he could not believe that the mere transfer of another to her could prevent her from proceeding immediately to establish the blockade. Having the power, then, to establish that blockade, and notice of the intention having been given to the Secretary of State, he did not see what could be done but to give the notice of that to Lloyd's, for the convenience of our merchants and ships. It was said, that we were neutral, and ought not to have acknowledged the blockade; but it was established by the laws of nations, that when two parties divided a country, a third Power was bound to treat each of the two as if it were an independent Sovereign State. Each of those parties had the same rights towards other States as an independent nation, and Great Britain had acted on this principle. In the case of the South American States, long before they were separated from Spain, we had acknowledged the blockade they instituted against Spain. The same was the case in the month of July, 1827, when we acknowledged the blockade instituted by the Greeks against some of the dominions of the Ottoman Porte, though we were then in friendship with that Power. Before the present Ministers were in office, the blockade of Madeira, instituted by the Regency of Don Pedro, had been acknowledged, though that Prince had no vessels to carry it into effect. On the 28th of July a notice had been given to the Secretary of State for

Foreign Affairs, by Viscount Santarem, that his Majesty had declared that the port of Funchal in Madeira, was about to be blockaded. On the receipt of that information, the noble Earl opposite (Aberdeen) directed Lord Dunglas to write to Lloyd's, to inform the underwriters that an effective blockade had been declared by the Government of Don Pedro. It was announced as effective, when there was only an intention to institute such a blockade, and the ships had not sailed from port that were to carry it into effect. The two cases were similar, though in the former there was not such an effective force as was at Lagos, and a similar notice had been then given as was given respecting the blockade of Lisbon. The Ministers having therefore received the letter which had been sent by the Chevalier de Lima on the subject, they, consistent with the usual practice, could not do otherwise than send a notice to Lloyd's of the blockade. The noble Earl concluded by alluding to what the noble Marquess had said of the conduct of Lord Palmerston, on whose exertions and zeal in his office he bestowed the highest praise, and declared, that for all the steps taken, he was, sharing in them by his counsel and advice, as fully responsible as any man could be. He did not think it necessary to trouble their Lordships any further, particularly as they must be anxious to proceed to the more important business before them.

The Duke of *Wellington* agreed with the definition which had been given of an effective blockade. At the same time their Lordships should consider, that it was the habit of the Government of this country to give great facility to the formation of blockades. We had ourselves carried them to a great extent during war, and had therefore been obliged to give facility to others. But he believed that it was essentially necessary, to constitute an effective blockade, that there should be an actual blockade. To make a blockade effective, too, notice must be given, and no capture could be made unless the vessels were warned off. The warning might be given in different manners. Some powers required that the warning should be given in the strongest manner, namely, by the authority of the Government; holding it illegal to capture vessels till such a warning had been given. When, therefore, a government received notice of a blockade, and gave a warning to its subjects, that warning rendered them liable to capture, and therefore before a government gave such notice, it was necessary that it should be quite sure that means existed to carry the blockade into effect. The noble Earl (Grey) had referred to an opinion of his on a former occasion; but several days had since elapsed, and they had not yet heard that Lisbon was actually blockaded. But it was not only Lisbon to which the notice was applied; it extended to all the coast and ports of Portugal. Even, therefore, if the one 74-gun ship was ready, she could not make an effectual blockade of the whole coast of Portugal. He was ready to admit the skill and gallantry of Captain Napier, but denied that even with his resources, he was able to institute a blockade of the whole of Portugal. The Government, before giving the notice, should have inquired into the means possessed by Don Pedro of carrying it into effect. Since the news had first come, he had had time to make further inquiries. He had some doubts at first about the letter of the Chevalier de Lima, and he must confess, that his doubts had since been strengthened. The Chevalier stated, that he had on that day received orders to notify the blockade; but he begged their Lordships to look at dates. The Birmingham steamer left Lagos on the 6th, the action having taken place on the 5th, and that steamer carried the news of the battle to Oporto; but how did she communicate it? Why she sent it on board a transport, and had no communication with the shore. That vessel reached Falmouth on the 12th, and on the 15th the news of the action reached London. On the 16th, the Government sent to Lloyd's the notice of the blockade. He said, then, that no letters could have come by the Birmingham steamer from Oporto, and he believed that there were no letters from Oporto by any other conveyance. If these were the facts, was it not incumbent on the Government to make inquiries into the source of the Chevalier de Lima's information before noticing the blockade? With respect to the letter of the Chevalier de Lima, it contained the extraordinary expressions: "He congratulated the noble Viscount on a victory which was equally honourable to the two Crowns;" which expressions, as addressed to a neutral government, were the most extraordinary he had ever read. Some notice should be taken of the letter, and he was sure the noble Earl could not refuse the information asked.

The Earl of *Ripon* observed, that the object of Government was merely to communicate the fact of the blockade as a warning to British merchants, who, if it had been withheld, might have suffered grievous wrongs. If no notice had been given, and a single ship were taken, how vociferously, as usual, would the noble Marquess have complained of the conduct of Ministers? It was a lamentable thing that, in questions affecting the public interest, the noble Marquess should think it equally agreeable to himself and the House to introduce some poor personalities. The noble Marquess had accused him of forgetting his obligations to the late Marquess of Londonderry, and of having abandoned the principles of that statesman. He would use the words formerly addressed by a noble Lord on the other side, to the noble Marquess—"I do not take your representation of the opinions of the late Lord Londonderry." He well remembered that rebuke, and now repeated it in his own person. When the noble Marquess sneered at him because his Majesty had been pleased to elevate him in the Peerage, he asked whether the Noble Marquess himself had never received honours from the Sovereign? Did he grudge the noble Marquess those honours? No; and, above all, the first honour which he had received for his military services. He wished to say nothing of the circumstances under which that honour was conferred, nor of his own humble share in it. He would only add, that if the noble Marquess taunted him with having been raised to a higher rank in the peerage, at least his conscience was without reproach of having done anything to depreciate the honour he had received.

The Earl of *Aberdeen* contended, that the whole blockade transaction was most irregular, and he might almost say wholly unprecedented. The noble Earl had attempted to show that the announcement by the late Government of the intended blockade of Funchal was a case in point; but this was a case which differed from it in several important particulars, one of the principal of which had been noticed by the noble Earl himself—namely, that the then Government had announced that blockade on the authority of a Decree of the Portuguese Government, a power which was in a condition to enforce the blockade. In the present instance, no such decree had been passed by Don Pedro's Government; and with the Portuguese Government which, however unstable it might be, or, however vituperated by some noble Lords, was still the government *de facto*, we were called upon to observe our ancient faith and treaties. The point was, that no official announcement of any blockade had been made; for the Chevalier de Lima, however respectable a character in himself, held no official position, at any rate in regard to this country, whatever post he might hold in the so-styled Regency of Portugal. Our Government had no right to act upon other than strictly official documents. In point of fact, the whole of this Portuguese affair was nothing but a stock-jobbing concern, the mysteries of which he did not very well understand, not being acquainted with the exact nature of the varieties of Scrip, Stock, Bonds, and so on; all he knew was, that the effect of this unjustifiable proceeding on the part of Ministers was, that several persons had been entirely ruined. Ministers had been most culpable in acting thus, without the slightest evidence that this was a *bona fide* or honest affair. There was no such haste made in declaring the blockade of Oporto. In the present case, indeed, the fact was not even published of there being a blockade at all. It was merely on a presumptive, a conditional blockade of all the Portuguese ports; so that the British merchants remained in as great a state of ignorance, suspense, and danger, as ever. Yet, though these traders were still kept in total ignorance as to what ports would be safe for them to send vessels to, and what ports would be dangerous to communicate with, all claims on the part of our merchants for losses sustained were to be put an end to by this declaration—not of a fact, but of a presumption. He admitted the conduct and courage of Captain Napier; but he regretted that the action, in which that officer and his men made so gallant a display of English valour and skill, was entirely in contravention of a neutrality which Parliament collectively, and the King in person, had so solemnly vowed to observe. In fact, the whole armament would appear to have been equipped and sent forth by a select company of Jew Stock Jobbers, whose views were merely those of personal advantage, and the effect of whose speculation would be as highly injurious to the interests of this country, as it would be favourable to France. Independently of the gross breach of faith on our parts, and our national interests, which would suffer severely, it was perfectly absurd to attempt to force upon the Portuguese a prince whom they detested, and a Constitution they did not even understand. He trusted, however, that the noble Earl would, on consideration, be better advised than to commit such a gross breach of faith, and to engage in so mistaken a line of policy.

The Duke of *Sussex* rose in consequence of the noble Earl's (Earl Vane's) allusion to him. He had often heard the noble Earl address the House, and allude to a variety of topics in rather a desultory manner, therefore he did not feel surprised at the noble Earl having mixed up his name with the question of Portugal. The noble Earl wished to censure him for attending a meeting relative to Captain Napier. Differing from the noble Earl as he did in sentiment, he declined to take a leaf out of his political or diplomatic epitome. He was ready to answer to the country for what he did, but would not be dictated to by any man. He had attended the meeting because an attempt was made to crush the national feeling of pride expressed at the conduct of Captain Napier, and he wished to bear testimony to that gentleman's private character. The noble Earl said he spoke as a soldier; he (the Duke of Sussex) respected soldiers, but he was somewhat jealous of them, and conceived that when any man put his blue coat on and walked through the streets, he had a right to entertain his private opinions without being influenced by professional motives. He had stood forward to show respect to an individual of great merit and ability, who had achieved an action which he hoped would soon set the question of the sovereignty of Portugal at rest. He would act precisely in the same way if the thing was to be done again. He was responsible to no man; and if he had acted contrary to public opinion, he should not have been worthy of the seat which he held in that House.

The Earl of *Eldon* could not admit that the illustrious Duke, or any other noble Lord, was at liberty to counteract the determination of the Sovereign to maintain strict neutrality between this country and Portugal. No man on earth more respected and admired the gallantry of Captain Napier; but he had subjected himself to dismissal from his Majesty's service, and, therefore, it did not become the illustrious Duke, or any other Peer, by supporting that individual, to assist in counteracting his Majesty's declaration.

The Duke of *Sussex* had done nothing to counteract his Majesty's wishes; he merely attended the meeting to express his opinion of the bravery and high character of Captain Napier. Would the noble Earl tell him, if this event had not taken place, that there were not Peers in their Lordships' House who would have enlisted officers and men to assist the opposite party in Portugal? He had heard reports to that effect, and he believed that they were perfectly well known. ["*Name, name.*"] He was ready to name the steamer that had been engaged and the officer who was to command it.

The Marquess of *Londonderry:* The illustrious Duke spoke of Peers, will he have the goodness to name them.

The Earl of *Eldon* amidst cries of "Order," told the illustrious Duke, that anybody who pleased might countenance acts of disobedience to the Sovereign, but he would resist from first to last any such attempt.

The Duke of *Buckingham* said, the illustrious Duke had stated that there were Peers in that House, who were ready to enlist forces to serve on the other side. He called upon the illustrious Duke to name those Peers. The illustrious Duke had expressed an opinion in which he begged leave, with all respect, to differ from him. The illustrious Duke said, that he respected the army and navy, but was jealous of the army; adding, however, that he thought when a man had put on his blue coat, he had a right to act and think as his private opinion should dictate. He combated this proposition, and asserted, that no man belonging to army or navy, whether he wore a blue or a red coat, had a right to do any act contrary to the law of the land. The illustrious Duke's argument went to this—that, in defiance of the Sovereign, any man in the army or navy in a blue coat, had a right to do whatever he thought expedient according to his private opinions. He submitted that was a very false and untenable doctrine, and against the law of the land.

The Duke of *Sussex* would be the last

man in the kingdom to indirectly encourage a violation of the laws of the land. He thought his character placed him above such an insinuation as that thrown out by the noble Earl; and he must say, that he thought the attack of the noble Duke unfair. It was contrary to the rules of debate to introduce the name of the Sovereign irrelevantly; and yet it was done that night over and over again. When he first became a Member of that House, such informalities would not be sanctioned. He repeated what he had stated before—namely, that his presiding on a recent occasion was merely to testify his admiration of the chivalrous valour of British seamen. He also repeated, that he had only referred to the reports which were bruited abroad respecting the interference of Peers on the side of Don Miguel; and not being cognizant of the facts themselves, he did not feel authorized to name the Peers referred to.

The Duke of *Buckingham* said, if the illustrious Duke disavowed the meaning which those who heard him attributed to his words, he, of course, was bound to believe him; but certainly the impression of his auditors was, that he distinctly alluded to certain Peers.

Earl *Grey* saw not on what grounds the present Motion was founded. They could not shut their eyes to the fact that foreign powers at war with a power at peace with us had, again and again, sought and fitted out armaments in this country; and all that the Government did was, to preserve a strict neutrality. Then they were all aware that it was by no means unusual for meetings to be held, and subscriptions to be entered into, in favour of some foreign object appearing meritorious to the parties, and not meetings on one side only, but on both sides, according to the views of the parties. They must recollect the meetings which had been held in favour of the Poles, when that brave but unfortunate people were engaged in their struggle against despotism; when every encouragement was held out to men engaged in a just cause. The great principle for the Government to observe in all these instances was the preservation of strict neutrality; and this they had observed in the contest between Don Miguel and the Queen Donna Maria. Both parties had fitted out armaments in our ports, and certainly, at least, as much zeal was displayed by the agents of Don Miguel, as by those of Don Pedro. With respect to the question of the blockade, all he need then observe was, that it would be contrary to the law of nations if a blockade was declared which could not be enforced; and though it certainly appeared impossible at present to enforce the blockade along the whole line of coast, it should be recollected that Don Pedro held Oporto in the north, while the army of Donna Maria held the south of that country. He could not say then, whether it would be convenient to produce the papers; and, therefore, trusted the noble Marquess would not press his Motion.

The Marquess of *Londonderry* would, certainly, press for the production of the papers.

The Duke of *Cleveland* said, that he merely rose to express his opinion and feelings of admiration of the conduct of his Majesty's Government in regard to their general policy, but more especially in regard to their foreign policy. He had frequently heard unqualified attacks from the other side of the House made upon the Government on the subject of Portugal; but he did not conceive, under all the difficulties with which they had to contend, that they could have acted differently from what they had done; and he thought that their conduct in regard to that country redounded much to their honour. He took that opportunity, not only as a Peer of the Realm, but as an individual having some property at stake, and as an independent man, to thank them for keeping the country at peace. It frequently happened that party feeling was mixed up with the debates in that House, to the exclusion of the consideration of the advantage or disadvantage of the country; and he thought that such was the case at present. He was a friend to the Government, and should be happy to be able on every occasion to support the Ministers; but if their measures were likely, in his opinion, to be injurious to the interests of the State, he would not give them his support. And he believed that it was to the neutrality observed by the Government in the dispute between the two parties in Portugal that the country was indebted for being now in peace. If any infringement of that neutrality had taken place, he was convinced it would have involved us in war. He thought that Ministers, therefore, deserved great credit for the policy which they had pursued.

Earl *Grey* wished to state that he had received no notice of the intention of the noble Marquess to move for these papers, and therefore, was not prepared to grant them.

The Marquess of *Londonderry*, after the observation of the noble Earl, would withdraw his Motion.

The *Lord Chancellor* would trouble their Lordships with a few words in connexion with what had fallen from the noble Earl regarding the blockade. He would beg of them to remark that a blockade might be merely notified to the Government of a country without being an effective blockade; or it might be notified to individuals, or it might be a complete and effective blockade, and all this might be made a question in considering whether captures made in consequence of such blockade were legal captures according to the laws of nations or not. It was admitted on all hands, that in order that a blockade should be legal, and all vessels captured in consequence of it should be captured legally, the blockade itself should be an effective blockade. But notice of a blockade having been given to a Government, that Government should always be ready to communicate the notice to individuals who might be injured from ignorance of the blockade; and it would always be better to give notice even when such notice was unnecessary, than to lead individuals into a mistake by not attending to the notice given, from the supposition that the blockade would not be effective. The mere notice, however, would not make the blockade legal, nor the capture legal, unless the blockade was at the same time effective.

Lord *Wynford* said, that notwithstanding the brilliant victory achieved by Captain Napier, the whole of the regency fleet could not effectually blockade Lisbon. It was, therefore, to be regretted, that the notice had been given, as the effect would be, that the whole of the trade with Portugal would be suspended, without there being an effectual blockade after all.

Motion withdrawn.

CHURCH TEMPORALITIES (IRELAND).] Earl Grey moved the third reading of the Church Temporalities (Ireland) Bill.

The Marquess of *Headfort* considered this to be a conservative measure. It had been argued on the other side that this was a measure of spoliation. Upon a balance of evils it could not be so considered: for if such a Bill were not passed, much greater spoliation would take place. He would give the Bill his cordial support.

The Earl of *Eldon* spoke from the experience of a long life when he said, that the prosperity of this country was inseparably intervoven with the maintenance of an established religion. The Protestant religion he considered to be the best form of religion: and he had no more doubt than he had of his own existence, now drawing very near to a close, that the present Bill was calculated to undermine the established religion of this country. He had not formed his opinion without exercising the most careful consideration; but, having formed it, his duty was to act fearlessly upon it. Having given the best consideration in his power to the subject, he was convinced that it was the duty of every subject to maintain the Established Church of the country as an institution which was material to the benefit of the State. Such was the opinion he had formed, and if there was any mistake in it he had not been able to find it out. The destruction of this Church could not be effected without the consent of Parliament, and he, for one, would never give his consent. He hoped the argument that this was a measure calculated to strengthen the Church by its liberality would not prevail in that House. He held religious belief to be a thing between God and a man's own conscience; but it must, at the same time, be allowed that a man having acquired the liberty of his own conscience, was not therefore permitted to disturb the national peace and the national conscience. If he had not misread history, it was the opinion of men as pious and learned as any now existing—men too who were Dissenters from the Established Church, that the best protection of the Dissenters was the existence of an established form of worship. Now, his first objection to this Bill was, that it removed the payment of the Vestry-cess, and placed it upon a different class of persons. He objected to this as taking from the country the liability to give that support to the Church which, he contended, every man was bound to give. Whatever might be the opinion of their Lordships as to the religious feeling of the community, they might rely upon it that if the principle of non-payment of rates because of a difference in religious belief were once established, many would be found to leave the Church for the purpose of evading the burthen. If that Bill had, as he thought it had, the tendency to support the Catholic Church of Ireland, then he must say, that the Union between the two countries never would have taken place if this measure could have been foreseen. The Protestants of Ireland never would have given their consent to the measure of the Union if they could have anticipated such an attack upon the Established Protestant Church. This Bill, he contended, was a direct fraud upon the Protestants of Ireland; he could give it no other name. His next objection to the Bill was, that it laid a tax upon the clergy. Nothing could be imagined more unfair or more destructive to the Church than such a course. An Established Church was a prop to the State; and if that prop were taken away, the State itself would sink. He contended that by this Bill they were taking away the main prop of the State; and they were acting in fraud of the Protestants of Ireland, who never would have assented to the Union could they have foreseen the introduction of this measure into the United Parliament. He could not help looking back to the Bill of 1829, the Catholic Relief Bill, introduced by the noble Duke near him (the Duke of Wellington), as the cause of the present measure. He had opposed that Bill with the utmost sincerity. With the same sincerity he opposed the present Bill. Whether he was right in his views or not it was not for him to pronounce; but he must say, that he could not help feeling that that Bill of 1829 was the cause of the present one. Looking at the present state of Ireland, and especially to the number of Roman Catholic Bishops in that country, he must add, that he would rather increase than diminish the number of Protestant Bishops. Year after year sums of money were very properly voted for the building of churches in India. Protestant churches were erected with this money. But if Dissenters were not to contribute, how was the money henceforth to be raised? He would say nothing upon the subject of the Coronation Oath; but, he declared that he would rather forego his existence than support a bill which, in his opinion, was calculated to destroy the established Church of Ireland.

The Earl of *Longford* admitted, that when the Bill came into the House it had some good points, and that it had acquired others in the Committee. But it proceeded upon principles which he maintained were perfectly unjustifiable. He was persuaded that if it came into operation, it would not do the good that was expected from it, and would do material injury. He should like to see a new bill brought forward, comprehending all the good, and excluding all the bad parts of the measure; to the third reading of this Bill he would give his hearty opposition.

The Duke of *Wellington* said, that he would not be drawn into a discussion on the Catholic question in consequence of what had fallen from the noble and learned Earl (Eldon). The noble and learned Earl attributed the present measure to the Act of 1829; but many events occurred between 1829 and 1833, and even previous to 1829, which might account for the measure. He would not, however, discuss the question at that moment, and therefore would proceed at once to the Bill before the House. When the Bill stood for a second reading, he stated that he would not object to it going into a Committee, although he objected to its principle in many respects. The measure had undoubtedly been improved in Committee, as his noble friend and relation (the Earl of Longford) had stated, in some material points; but there still remained much objectionable matter in the Bill, and much to which he was decidedly opposed in principle. In the first place, he objected decidedly to the Repeal of the assessments for Church purposes. He doubted very much whether the assessment ought to have been repealed, though the mode of levying it might have been altered. It had been found difficult, if not impossible, to levy the assessment, principally on account of the conspiracy which existed in Ireland against, not only that assessment, but every description of Church-property, and which the noble Lords opposite were much deceived if they thought they had got the better of. It was true that overt acts of disturbance were put down by the measure which Parliament passed in the spring; but he doubted much whether the conspiracy had been got the better of, and whether the Government yet felt themselves strong enough to carry into execution those measures which were necessary to restore to the clergy and the laity that description of property hitherto known under the name of tithes. At present tithes were annihilated in Ireland, owing to the existence of the conspiracy to which he had alluded. He thought, that the Church-cess should be continued and levied on the land instead of the people. It was, however, most unjust to make the ministers of the Church themselves pay all the expenses attendant on the performance of divine worship, and he was certain that this object could not be carried into execution as the Bill now stood. He objected strongly to the sale in perpetuity of Bishops' lands. This was a circumstance which would deteriorate the position of the Church. Another objection which he had to the Bill was, that it put an end to more bishoprics than were necessary, even for the purpose which was professed by the measure. He freely confessed that it might be desirable to put an end to certain dioceses; but to put an end to them for the purpose of raising money in order to relieve the country from the payment of Church-cess was a thing of which he never could approve. But the worst provision of the Bill was that which went to levy a tax on the clergy on a graduated scale. The noble Lord opposite had said, that this system of taxation was founded on the First Fruits; and that the amount would be nearly that of the First Fruits, according to a new calculation. If that was really the object, nothing could be worse contrived to carry it into effect. According to the system of First Fruits, every clergyman paid the value of his living for the first year. If the value was 300*l.*, he paid 300*l.*; if 500*l.*, he paid 500*l.*; if 1,500*l.*, he paid 1,500*l.* But according to the Bill, a clergyman whose living was of the value of 300*l.* would pay only two and a-half per cent; while a clergyman whose living was of the value of 1,500*l.* would pay fifteen per cent. If the noble Lord wished to relieve the lower ranks of the clergy, let him do so; but it ought not to be at the expense of the higher, or in any other way than in a fair proportion. To any just measure of augmenting small livings, he should have no objection; but to the present he certainly did object. It was a matter of importance that men of education and character should be induced to enter the Church by the hope of obtaining some of the large prizes; but if clergymen were to be subjected to a tax of fifteen per cent, and the number of bishoprics should be reduced from twenty-two to twelve, this inducement would no longer exist, particularly as, from the various compositions which had been adopted, no large amount of tithes could now be levied, if indeed tithes should ever be paid again. He could not but feel that the Bill was, in a variety of its details, injurious to the clergy, and he had no doubt that sooner or later it would be found necessary to adopt some measure in order to relieve the Church from some of the burthens which were imposed upon it by the present Bill. Although, however, he disapproved of many of the provisions of the Bill, it was impossible for him, with the opinions which he entertained of the necessity that existed for some measure of this description, to concur in a vote against the third reading of the Bill. The more he considered the situation of the Church of Ireland, the more he was convinced of the necessity of agreeing to the present measure in the absence of a better. For three years past, the ministers of the Church of Ireland had received no tithes, and they were now depending on the Government, and a vote of the other House of Parliament, for their subsistence. Owing to an arrangement which was made last year in the other House of Parliament, the Bishops had not this year received their fines, which formed two-thirds of their income. It might be asked whether the measure was likely to ensure security and tranquillity to the Church. It was impossible for him to answer that question; but of this he was certain—that sooner or later the measure must be altered in order to afford relief to the Church. For the present the Bill would give the Church breathing time, and enable it to continue its beneficial labours for some time longer. Many persons thought, that as the Bill was not likely to produce all the benefit which the noble Lords opposite predicted, it ought upon principle to be opposed; but his opinion was, that they ought to do that which was best for the Church, and which would enable it to continue in existence.

Lord *Ellenborough* said, it was painful to him to differ from his noble friend who had just addressed the House; and though he admitted that the Bill had been in some respects improved in Committee, the objections which he entertained to it were not in the slightest degree removed, for he objected to its principle. He thought the measure was one of injustice as well as impolicy; and great as might be the danger of rejecting it, he contemplated no danger so great in the present position of the House and the country as that which would result from their acting with injustice. They were told that the Bill was a measure of relief to the Irish Church—he wished he could consider it so. It was unusual, at least, to tax those whom they professed to relieve. In what particular was the situation of the Irish clergy to be improved? They were at present by law entitled to their tithes, but they were deprived of them by the state of Ireland. Would this Bill improve the condition of that country? Would the Catholics be conciliated by the paltry boon of five farthings in the pound? They had frankly declared, that they would take any boon, however small, on account. They undoubtedly valued the present Bill; but for what? For the principle which it contained, and which they thought dangerous to the Church of England, and therefore useful to themselves. He considered the Bill a delusion, and that it would not answer the expectation of its framer. He was convinced, from the consideration which he had given the subject, that there would be a material deficiency in the financial results anticipated from the measure. It appeared to him that the noble Earl's estimate of the revenue that would be obtained under the operation of the Bill was too much by 36,000*l.* a-year. In consequence of lessees having the privilege of referring the question to arbitration in cases where they considered the Bishop's fines too high, he believed not half the number of purchasers in perpetuity would be obtained. The present Bill was not brought forward as a measure of Church Reform—it came before their Lordships as a rider to a money Bill. The Bill would conciliate nobody. Whoever heard of injustice and violence being conciliated by concession? The Bill was a bill of ransom—a payment of black mail to the agitators. There was no security that the measures would be adopted, after the passing of the Bill, which ought to have been adopted before. He said it with regret, that he felt no security that the resolution which had passed the Commons for insuring the clergy payment for the tithes due during the last three years would be reduced into a law. After the manner in which the Government had abandoned a most material part of the West-India measure, to which they were pledged, he could no longer place confidence in them, or in the House of Commons which sanctioned their proceedings. The Bill was a triumph to the Catholics, and an act of humiliation, if not spoliation, to the Protestants. In the present position of public affairs, there was no other hope of safety but in acting firmly and, above all, justly. From justice he never would depart, and he feared their Lordships would long rue the day when, in the apprehension of danger to the Church, they were induced to depart from the line of true policy, which was that of justice.

The Duke of *Gloucester* said, that he had not opposed the second reading of the Bill, in the hope that it would be so amended in Committee as to enable him to vote for it being passed into a law. Although he must admit, that the measure had been considerably improved in Committee, yet he felt that it was not sufficiently amended to enable him conscientiously to vote for the third reading.

The Duke of *Buckingham* had come to a determination to oppose the third reading of the measure upon the arguments stated in its favour by the noble Duke near him (the Duke of Wellington). He wished to know on what grounds the measure had been brought forward? They were told, that it was to support the Church of Ireland, but the Church of Ireland shrunk from the measure. They were told that it was required by the interests of the Protestants of Ireland, and the Protestants of Ireland eschewed the measure. Then they were told, that it was for the benefit of the Church of the United Empire, and the Church of the United Empire rejected the measure. What single petition had come before their Lordships in favour of the passing of this Bill from either of those parties he had yet to be told. He had certainly thought, that not a voice had been raised, not a hand had signed a petition, calling upon their Lordships to pass this measure which was so indispensable to the support of the Church of the United Empire. Upon a former occasion, when there was a vociferous call for another measure, their Lordships were told it must be passed, because the people demanded it. Now they were told this measure was unavoidable, and the people were silent. He maintained, that either the arguments of his Majesty's Government were in the first instance wrong, or their position must now be false. He had before called the measure one of spoliation, and he repeated, that it was spoliation. He objected to it also, because it had been publicly declared —avowed—to be but a preliminary step; and that too on high authority, on authority which he thought had been too much attended to. He would ask, when they had passed this Bill for Ireland, what right would they have to refuse to adopt the same principle in England? The Dissenters would soon tell them that they would not pay Church-rates if the Catholics were to be relieved from it. Nay, the resistance had already begun; in the very metropolis it was at this moment in operation. Combinations had been effectually entered into to prevent the payment of rates, and when the principle should have been sanctioned by the passing of that Bill the extent to which it must soon spread might be easily conceived. With this evidence before him it was impossible for him to suffer the Bill to pass without opposition, and he trusted the House would do its duty and take the same course. If the Church must fall, let it at least be after a defence had been made for it worthy of such an institution. If it must be swept away with everything else that ought to be sacred when the torrent of innovation overspread the land, let it not be by the delinquency of those whose duty it was to be its natural defenders. Upon these grounds he should move that the Bill be read a third time that day six months.

The Marquess of *Lansdown* observed, that the noble Duke had been under the necessity of adverting to topics which were not even remotely connected with the argument. When the noble Duke talked of the opposition made by the Dissenters to the payment of the Church-rate, did he remember, that that opposition was made and followed up long before there was any probability of a Bill like the present? He would ask the noble Duke in his turn, whether he did not think that the throwing out of the Bill would have the effect of redoubling the opposition of the Dissenters to the payment of the Church-rate? It was not a measure of spoliation, but, in his conscience, he believed a measure of a protective character; a measure which, he hoped, might enable the Church of Ireland to regain its just position. The noble Duke had adverted to a former argument that the expression of public opinion was necessary to any great measure. To public opinion attention ought certainly to be paid; but the vociferation of that opinion was by no means requisite. The removal of Church-cess was indispensable to the quiet of Ireland, and yet the noble Lord got up to tell them that this Bill was not called for, and that the abolition of Church-cess was a measure of spoliation. He quite agreed with the noble Duke that any tax to be levied on the present incumbents should be an equal tax. But the fact was, that no such tax on existing incumbents as that adverted to by the noble Duke, was contemplated. The argument of the noble Duke, therefore, fell to the ground; for surely there could be no injustice committed against future incumbents, who would accept their livings with the perfect knowledge of the charges to which they were subject. After the abolition of Church-cess was provided for, no other portion of the property of the Church was diverted from ecclesiastical purposes; but, on the contrary, was to be applied solely to the purpose of giving greater efficiency and security to the Church Establishment; and yet this was the measure which was branded as a measure of spoliation. He was convinced that the tendency of the Bill would be to rally all Protestants round the Church Establishment, and that even the respectable portion of the Roman Catholics would no longer hesitate to pay towards the support of a church, the abuses of which were cut away, and the pastors of which would no longer stand in the objectionable position which they at present occupied. It was, therefore, his earnest hope that this Bill might pass into a law, convinced as he was that its passing would facilitate the progress of those other measures which he agreed with the noble Lord opposite were essentially necessary to the security and welfare of the Established Church of Ireland.

Lord *Wynford* agreed in the propriety of getting rid of the Church-cess, but objected to the mode in which it was proposed to be effected. He thought it most unjust to relieve the land of that impost and throw it entirely on the clergy. The only argument which he had heard at all calculated to induce him to vote for the Bill, was one which dropped from a right reverend Prelate opposite early in the debate—namely, that the passing of this measure was the only mode of securing a provision for the Church of Ireland. He was certainly most anxious to secure this provision; but he felt confident that this Bill would by no means secure it. In his opinion the Bill was a violation of the Articles of Union, and he should feel it his duty to give his vote against the third reading.

The Earl of *Haddington* said, that if he could agree with the noble and learned Lord who had preceded him in thinking that the Bill under consideration contained a violation of the Act of Union, or if he could agree with other noble Lords in thinking that the Bill contained a violation of the Coronation Oath, he would most certainly oppose it, even at that stage, and at whatever risk. He could not, however, concur in either of those positions. The provisions of the Bill did not appear to him to involve a violation of the Act of Union. He admitted, that the Bill altered the fifth article, but he contended, that the alteration was not such as to call for or justify the setting up of the Act of Union as a bar to the passing of this measure. The course he had taken in the Committee clearly showed his opinions of the Bill. He regarded it as unjust, unwise, and unnecessary. Undoubtedly he concurred in thinking that some of the great principles of the Bill were just; but they were most injuriously carried into effect. He thought it most desirable that the mode of levying the Church-rates should be altered. He thought it most prejudicial to the stability, and to the usefulness of the Church in Ireland, that Church-rates should be levied upon the Roman Catholic pauper; but that was no reason why the wealthy noble and the landed proprietor in general should be relieved from the burthen, and the payment cast upon the clergy. If the burthen had been thrown to a fair and just extent upon the landed proprietor, then there would have been a fund for providing for the building of churches, and increasing the stipends of the poorer parochial clergy. He would say also, that upon ample information, and upon a declaration from the Prime Minister, that he had consulted with the Prelates of the Church in Ireland, and that they agreed with him in thinking that some of the emoluments of the hierarchy might beneficially be reduced and applied to the other purposes of the Church, although he should have regretted such a course, he still would have adopted the recommendation. But when he saw, without any information at all, that half the hierarchy were to be suppressed, and that a fund was to be created, which might better have been supplied by other means, he could not but protest against the measure. It was true the Bill might have been worse; it might have contained an attack upon vested interests; it might have applied the property of the Church to other than ecclesiastical purposes, and by so doing have become a most dangerous precedent for an interference with all private property. And if it had contained any such provisions he was quite sure it would have been rejected. The Bill then was not so bad as it might have been, but it was bad enough to induce him to reject it had it been presented in ordinary times. They, however, lived in times when reason was to be without power—when they were called upon to reason and to adopt a measure, not because in their judgment they approved of it, but because it was laid before them. A great deal had been said against their Lordships doing any thing which might render it necessary for the Ministers to resign office. Upon that subject too much had been said. The matter had been pressed too far. Indeed it had been carried to such lengths as to have made doing anything prejudicial to the political existence of the present Ministers an offence. The plan to compass the King's death was high treason; but now a new doctrine had sprung up, which was, that it was a political crime to destroy the political existence of the present Ministry. But he must say, with all his respect for the noble Lord opposite that consideration would not have operated on his mind, urged even as it had been, to induce him not to reject this Bill. And he must say, with reference to that argument in favour of the measure, that he could not conceive a more mischievous or a more dangerous mode for a Ministry to adopt to preserve themselves in office. Their Lordships had also been told of the great danger of a collision with the House of Commons, and that the rejection of this Bill would lead to such a collision. Few men were ready to sacrifice more largely than he was to avoid all such collision, for he was desirous of giving to the new Constitution a fair trial; but he would never consent to the abandonment of great fundamental principles for the accomplishment of that object. That House must be independent—that House could not consent to be degraded—and therefore, if there were no other extraneous dangers pressing upon his mind than that of a collision with the House of Commons, that would not have been sufficient to induce him not to vote for the rejection of this Bill. They had heard to-night, and at other times, of the existing state of the Church in Ireland. He confessed he had not courage enough to look that question in the face, and vote against the Bill. The Bill did not give an accession of strength to the Church in Ireland; but he looked for the preservation of that branch of that Church to other measures which were in progress. Could they hope that those would pass if this were rejected? He feared not. He had heard enough to know, that the greatest anxiety prevailed in Ireland for the passing of this Bill, for it was apprehended that if it did not pass, those other measures intended for the relief and permanent prosperity of the Church might also be lost. These were the alternatives between which he had to choose; and he would fairly confess, bad as the Bill was, he had not courage to reject it in the face of such great dangers. There were precedents in the Bill which might prove injurious to the Church in England; but what were all those precedents to the destruction of the Church in Ireland? From what he had said it was impossible for him to utter "content" to a Bill with which he was not content at all; and therefore, when the question was put, he should shelter himself, although it was a course he would never follow but on extraordinary occasions by retiring.

Lord *Bexley* opposed the third reading. It had been contended, that the Bill was favourable to the Irish clergy; was it favourable to impose on them a tax which properly belonged to the land? Was it favourable to place the management of ecclesiastical affairs, and the control of ecclesiastical property, in the hands of a lay Commission? He denied that the Bill did justice to the clergy of Ireland. He agreed with preceding speakers, that it was a breach of the articles of Union; and the reduction of the revenues of two Bishops, merely because it was assumed that their property was too great, was so much like an Agrarian law, and implied a principle so objectionable, that he could never assent to a Bill mentioning such doctrines.

Their Lordships divided on the Motion, that the Bill be read a third time. Contents (Present 70; Proxies 65) 1: Not-contents (Present 50; Proxies 31) 81 Majority 54.

A clause was added by way of rider, and the Bill was passed.

List of the NOT-CONTENTS.

PRESENT.

DUKES.
Cumberland
Gloucester
Beaufort
Newcastle
Buckingham

MARQUESSES.
Bute
Westmeath

EARLS.
Winchilsea
Westmoreland
Shaftesbury
Dartmouth
Abingdon
Beverley
Mansfield
Digby
Longford
Mayo
Eldon
Airlie
Belmore
Beauchamp
Rosse
Orford
Vane
Charleville
Limerick

VISCOUNTS.
Arbuthnot
Strathallan
Sidmouth
Combermere

ARCHBISHOP.
Canterbury

BISHOPS.
Oxford
Gloucester
Lincoln
Rochester
Exeter

BARONS.
Hay
Gage
Rolle
Ormonde
Boston
Kenyon
Redesdale
Ellenborough
Bayning
Bexley
Colchester
Tenterden
Wynford
Penshurst

PROXIES.

MARQUESSES.
Exeter
Thomond

EARLS.
Graham (Montrose)
Poulett
Guilford
Onslow
Brownlow
Clancarty
Bradford
Enniskillen
Powis
O'Neil

VISCOUNT.
Exmouth

BISHOPS.
Salisbury
St. David's
Bristol
Durham
Carlisle
Bath and Wells
Bangor
Clonfert
Ossory

BARONS.
Willoughby de Broke
Carrington
Churchill
Roden
Walsingham
Manners
Sheffield
Loftus
Feversham

The following Protests were entered against the third reading of the Bill.

I.

Dissentient—1. Because the repeal of the

Church-cess, without any other provision for its necessary purposes than a partial charge on ecclesiastical property only, is calculated not only to establish in Ireland the principle that the service of the Established Church is not entitled to receive any support from the State, but to introduce the same false and pernicious opinion into other parts of the United Kingdom.

2. Because the tax intended to be imposed on ecclesiastical benefices as a substitute for the payment of first-fruits is excessive, in proportion to the charge from which the clergy will be relieved, burthensome and oppressive in its amount, especially in the case of the more valuable benefices, and by the adoption of a progressive scale of taxation, encourages the project of a general equalization of property.

3. Because the proposal to invest certain Commissioners, of whom a large proportion may be laymen, and a great majority is to be appointed by, and removable at the pleasure of the Crown, with extensive powers over the whole property of the Church of Ireland, is in principle violent and arbitrary; the authority to be given to the Commissioners oppressive and inquisitorial; and the influence they will possess, both over the clergy and the tenants of Church lands, highly dangerous and unconstitutional.

4. Because the said Commissioners will supersede the functions of the Board of First Fruits, by which more than one-third of the benefices of Ireland has, since the Union, been provided with churches, and will, under the 117th clause, have the power of stopping the presentation to a considerable number of livings; and, therefore, may not only prevent the increase of Protestant places of worship, but permanently deprive many parishes of the benefit of a minister.

5. Because the proposed reduction of the number of Bishops in Ireland is not only highly injurious to the influence and authority of the Established Church, which, from the peculiar circumstances of Ireland, more especially requires support, but is in direct violation of the treaty of Union, and endangers the stability, of the Union by the precedent of a breach of its provisions.

6. Because these dangerous and alarming infringements of long established rights and property will be so far from satisfying those who aim at still greater change, that they will only stimulate the desire for, and facilitate the introduction of, yet more fatal innovations.

BEXLEY	ERNEST
KENYON	ORFORD
WYNFORD	S. ROCHESTER
COLCHESTER	PENSHURST (for the 5th and 6th reasons.)

II.

Dissentient—1. Because his Majesty being bound in his executive and legislative capacity by the Coronation Oath to maintain and preserve inviolably the settlement of the United Church of England and Ireland, and the doctrine, worship, discipline, and government thereof, as by law established, within England and Ireland, and the territories thereto belonging, and to preserve unto the Bishops and clergy of England and Ireland, and to the churches there committed to their charge, all such rights and privileges as by law do or shall appertain to them, or any of them; and this Bill being a fundamental alteration of the discipline and government of the Irish Church, and directly invading the rights and privileges of the clergy, it appears to us, that such Bill cannot be passed into a law with a proper observance of the Coronation Oath.

2. Because such Bill is opposed to the wishes and interests of the great body of the clergy in England and Ireland, whilst the people at large have not petitioned or expressed any desire for its adoption.

3. Because it is contrary to all justice and equity to exempt those hitherto properly liable to the payment of the Church-assessments in Ireland, and to impose such burthen arbitrarily on the impoverished Protestant clergy of that country.

4. Because the imposition of a tax on all parochial livings of a certain value in Ireland interferes with the vested rights of the owners of advowsons, by lessening the value of that species of property which they had acquired without such diminution of value.

5. Because the abolition of ten Irish bishoprics appears to us to be an act of spoliation, and to afford a fatal precedent for the future destruction of the whole Protestant hierarchy in that country.

6. Because this Bill in its principles and enactments appears to us as tending to advance the Roman Catholic, and to weaken the Protestant religion in Ireland, both in a temporal and spiritual point of view; and while it prepares the way for future acts of injustice, hardship, and oppression, towards the Protestant clergy there, it gives to the enemies of the Reformed Church increased strength to degrade and impoverish its ministers, to impair its efficiency, and, finally, to establish the Roman Catholic religion in Ireland, predominant in wealth and influence.

(Signed) ERNEST.

III.

Dissentient—1. Because the Bill imposes upon the clergy of Ireland, already defrauded of their rightful property, the new charge of the Church-cess, heretofore borne by the land, which is at once a mockery and a wrong.

2. Because this charge will absorb so much of the fund to be provided by taxing the clergy, that for many years no part of that fund, and at no time any considerable part of it, will be applicable to the proposed improvement of small livings; so that to injustice is added delusion.

3. Because the Bill suppresses ten bishop-

rics, not for purposes of Reform, but for purposes of finance, in order to supply the deficiency created by an act of injustice.

4. Because the Bill, affording an unworthy triumph to the Roman Catholics over the law they have distorted, and the clergy they have persecuted, encourages future aggressions; while, failing in its professed objects by the inadequacy and fallacy of its financial provisions, it humiliates the Protestants without contributing to the future efficiency of the Established Church.

Ellenborough.

HOUSE OF COMMONS,

Tuesday, July 30, 1833.

Ministerial Plan for the Abolition of Slavery.] The House went into Committee on the Slavery Abolition Bill.

The *Chairman* said the question was, the insertion of the sum of 20,000,000*l.* in the blank left in the 25th clause, for the purpose of having the amount determined by the House.

Sir *Eardley Wilmot* said, that he was not actuated by any party feelings in the view he took of this question; but he was decided in his determination to move an Amendment in accordance with the notice he had given. He should oppose the grant of 20,000,000*l.* on two grounds: the first, that the covenant entered into for the immediate abolition of slavery had not been kept; and the second was, that the additional 5,000,000*l.*, proposed to be given to purchase the concurrence of the West-India interests could not be asked for on that ground, as their concurrence had not been obtained. He could not, with respect to the first of these objections, admit the argument of the hon. and learned member for Dublin, who, at the commencement of the debate on that subject, had said, that he was for "a conditional liberty; and if the slaves would not work, let them perish." Such an observation might be very well if applied to England; it might do very well for a man possessed of such strength of mind, as well as of body, as the hon. and learned Member; but it was inapplicable to the condition of a slave, who, it should be remembered, was called upon by seven years' labour to attain that to which he was indisputably entitled before the term commenced. There was no parity in the two cases. In this country an apprenticeship might lead, as it often had led, to the highest office of civic honour—to the Lord Mayor's chair—or even to a seat in that hon. House. On his second objection he should say, without fear of contradiction, that the West-India interest were conclusively against giving their concurrence to the measure. He believed he might say, that two-thirds were against it; and if that were true, it proved, that the consent of that interest had not been obtained. He thought, however, there was a third party whose interests had been neglected, and that was the people of England. He did not wish to paint the distresses of this country in high colours, but he knew that great distress did prevail. Within a very few miles of his residence, there were many thousand persons (he alluded to the ribbon weavers) who, when they got up in the morning, knew not where they should lie down at night. In one parish near Coventry, there were 300 families, consisting of 1,000 persons, whose earnings did not average 2½*d.* per day. He therefore thought it but justice to ask for one corner of the sympathy of the House for our own countrymen. It had been said by two hon. Members, that he had formed his opinions from having attended meetings on the subject at Exeter Hall. He denied, that he had been converted by anything that had been said at those meetings: he had only attended one, and he did not think he should ever attend another; and as for having formed an opinion from what he had heard there, he had formed his opinion long before ever he went there. As to the arguments used by Mr. Stephen, they were so extraordinary and contradictory, that he could not follow or agree to them. He disclaimed all participation in Mr. Stephen's doctrines. The hon. Baronet concluded by moving, that the words "fifteen millions" instead of "twenty millions" be inserted in the clause.

Mr. *O'Connell,* before he proceeded to address the House, wished to ask the Chairman (Mr. Bernal) a question upon a point of privilege, viz.—whether he (the Chairman) possessed the same privilege as the Speaker in ordering the Gallery to be cleared of strangers.

The *Chairman* (Mr. Bernal) said, if any hon. Member chose to say, that he saw strangers in the Gallery, it would be his duty to order the Gallery to be cleared.

Mr. *O'Connell:* "Oh, very well, Sir; but I do not intend to look that way at present." His object, the hon. Member said, had been attained. The House would perhaps have been placed in a very unpleasant predicament; but he would refrain, as he had seen an avowal that, if the "people" were suffered to report, justice would be done. He would not advert to the scurrilous manner in which that avowal had been made; but if gentlemen were desirous of seeing an excellent specimen of scurrility, he would recommend them to read *The Times* of that morning. He did not believe the promise would be kept because, as designedly false reports had been given before, they would be given again. With regard to the Motion before the House, he regretted to hear the hon. Baronet use an expression against a gentleman who was not present to defend himself. That gentleman, Mr. Stephen, had devoted many years of his life gratuitously to achieve negro emancipation; he was to a certain extent an enthusiast, but it was in a good cause; he was a gentleman of great talent and integrity, who had devoted his time to the advancement of humanity. He (Mr. O'Connell) had heard Mr. Stephen's speech at the meeting in question, but it certainly did not make any particular impression on his mind. He was sorry the hon. Baronet had declared he would not attend another of those meetings, for, although he believed the hon. Baronet was not of any great use, he added to the respectability of the meeting. He would inform the hon. Baronet, that Mr. Stephen was the son of that great patriarch in the cause of emancipation, the late Mr. Stephen, who was a Master in Chancery, and who had zealously aided the cause of emancipation. He did not know on what the question of the 20,000,000*l.* was to rest. Could the people of England afford that sum? The Members had been sent to that House for the purpose of making reductions, and they had scarcely made one. The House had refused to diminish the Malt-tax; it had refused to abolish the Assessed Taxes; it had refused to diminish the great burthens of the people. And the ground on which it had refused to do so was, that the Government could not afford it. Why then, he would ask, were those burthens to be increased? How were they to be provided for? The people had a right to know that. Was it to be laid upon the agricultural interest? It had been clearly shown that the farmers were going to decay. Was it upon the shipping interest? It was, perhaps, true that that interest was in a more flourishing condition than any other; but he objected to anything like monopoly, or the giving of a benefit to the West-India interest by that monopoly. He should prefer that the burthens should be thrown on the general taxation of the country, rather than upon any particular interest. In his opinion such a system was too bad to continue it at any time, but extremely so when every particular interest in the country was suffering. If 20,000,000*l.* were to be paid, the people ought to get value for it. In the present instance, he could see no value or equivalent the nation was to get for it. The greater part of the Representatives of the West-India interest were against the proceedings. He would only refer to the pamphlets of Mr. Burge and several other agents of the different colonies in the West Indies, all protesting against the plan. Up to the present moment there was not the slightest indication of an intention to give up the enforcement of labour from the slaves by the whip. No one colony had come forward to put an end to that abominable and cruel practice; the lash was still to continue, and therefore he would persist in contending, that the people of this country had received no value or equivalent for their 20,000,000*l.* It was true that in one clause the slaves were given the rights of freemen, but in others a power was given to the Colonial Legislatures to take those rights from them. It was said, that the West Indians would sustain great loss, and that advantages would be taken from them which had been sanctioned by repeated Acts of Parliament. Now he would take upon himself to deny that slavery was ever sanctioned by law in this country; and that was demonstrated most clearly by the fact that, whatever value had been given for a slave, the moment he set foot in this land, where a remedy was to be found, the slave was free. He denied that anything would be lost by the emancipation, as it was in evidence, both in and out of that House, that there was not any set of human beings who had more desire to get money than the negroes. He challenged the hon. Member who had spoken last to disprove that statement. In conclusion, the hon. and learned Gentleman, in the name of the people of England, protested against the grant of 20,000,000*l.*, and said he felt it to be his duty to vote against it.

Mr. *Stanley* was quite satisfied that there was no sacrifice the nation would not make rather than sacrifice the national honour. Neither of the two hon. Members who had spoken on this subject had stated any ground whatever, why 15,000,000*l.* should be preferred to 20,000,000*l.* He would pass over the observations of the right hon. Baronet upon the Anti-Slavery meeting, and the

Anti-Slavery Society, with which he had nothing to do, and he would pass over, on the other hand, the remarks of the hon. and learned member for Dublin on the West-India Legislature; only observing, that violent attacks were not calculated to bring parties together. The hon. Baronet took as a ground for substituting 15,000,000*l.* instead of 20,000,000*l.*, that the engagement entered into by the Government and the House had not been completed. He was sure the hon. Baronet unintentionally misrepresented what the Resolution passed by the House was; for the hon. Baronet said, that the House of Commons pledged themselves, by their first Resolution, to the immediate and entire abolition of slavery throughout the British dominions, and that has not taken place. Now, with due respect to the hon. Baronet, he (Mr. Stanley) would tell him that they had pledged themselves to no such thing. What they had pledged themselves to was, that an immediate and effectual measure should be taken for the entire abolition of slavery throughout the colonies. The right hon. Baronet (the member for Tamworth) noticed at the time that very word "immediate," and stated that it would be better to strike it out, because it might lead to an inference that it was wished to introduce the immediate abolition. It was then understood, that the word "immediate" referred to immediate measures for the future abolition of slavery. Those immediate measures had been taken—the Bill had been introduced, and the Act of Parliament would, he trusted, in a very short time be passed, which should forthwith have the effect of producing, within a very short period, the entire abolition of slavery throughout the British dominions. But the hon. Gentleman said, they had not obtained that cordial co-operation which they had a right to expect from the Jamaica Legislature. He gave the names of two or three gentlemen who had entered their protests against the whole proceeding, and stated this as an example of what was to be expected from the whole of the colonists. He certainly must express his sincere regret that those gentlemen—one the agent for Trinidad, and the others all representing the interest of the island of Jamaica—had not felt it their duty to come forward in the manner which he thought the interests of their clients required. The question for them was not whether, in all its details, this measure would be desirable in the colonies or not, but whether, under the state of public opinion here, it was not for the interest of those whom they represented, to close with the British Parliament upon the terms which they were disposed to offer. At the same time these Gentlemen did not represent the whole of the West-India population. They were very far from representing the whole of that body. He would even yet trust, that these Gentlemen, having had the opportunity of witnessing the proceedings of that House, and of personally knowing what the difficulties of the Government had been in obtaining for them such terms as they thought just and equitable, would exert their influence when they proposed it for the purpose of enforcing and encouraging an acquiescence in a measure which had now become absolutely necessary. But if, unfortunately, a different course should be pursued—and he begged to say, that such speeches as they had just heard from the hon. and learned Member opposite might tend to stir up feelings of irritation—if they would still resist the feelings and determination of this country, why then, to look at it in a secondary point of view—to look at it in the low question of pecuniary consideration—Jamaica, at least, would forfeit the whole of the claim she might have to any portion of the 20,000,000*l.* which were now proposed to be granted. The question then arose as to whether 37*l.* 10*s.* per head throughout the island was a fair calculation with regard to the value of slaves. He thought it difficult to give the exact amount of the value of every slave, but he had in his hands a list of actual sales which had taken place of negroes, exhibiting what the value of negroes had been between 1808 and 1827. During that period, there had been sold 22,661 negroes, at an average of 71*l.* 10*s.* currency, which was about 51*l.* sterling; and the greater part of the 22,000 had been sold under the disadvantageous circumstances of being sold for debt. From 1808 to 1812, there had been sold 5,498 slaves, at an average of 53*l.* 10*s.*; from 1813 to 1817, 6,598, at an average of 53*l.* 10*s.*; from 1818 to 1822, 5,200, at an average of 58*l.*; and from 1822 to 1827, 5,365, at an average of 38*l.* The House would see, therefore, that from 1822 to 1827, there was a fall in the value of slaves to 38*l.*, which was at the rate of 10*s.* a-head more than the average which Government had acted upon. The average in Trinidad, from 1825 to 1830, was 66*l.* 15*s.*; in Demerara, from 1821 to 1825, 93*l.*; and in Barbadoes, from the two periods of from 1821 to 1825, and from 1825 to 1830, 38*l.* These were some of the calculations upon which the Government had gone. In assuming, that the sum of twenty millions ought to be granted as compensation, they did not consider that, in assuming the average value to be 37*l.* 10*s.*, they had exceeded the actual value of the slaves. There was not one of the calculations of ten planters, eight planters, or six planters, that had been alluded to by the hon. Baronet, but would more than give the amount of twenty millions. Then, again, since the House had acceded to the granting of twenty millions, which was done on a division, it had cut off five years from the term of the apprenticeship; and no man would say, that that was not a great reduction of value to the planter. They had already agreed, that twenty millions should be the compensation; and having, since that, taken off the five years, it was too much to expect that the House would cancel that vote without one single argument having been advanced to justify such a proceeding. The House would recollect the manner in which the Government had been accused for agreeing to the shortening of the apprenticeship to which they were driven by the force of public opinion. The present proposition was one to which no Ministers, who had any feelings of honour or consistency, could submit. His honour at least was pledged, and he felt it his duty to give it all the opposition in his power.

Mr. *Buxton,* after passing a high eulogium on Mr. Stephen, proceeded to say, that there was not one clause in the Bill, however curious it might appear, that he would support with more pleasure than the grant of 20,000,000*l.*; and, if any degree of reproach attached to those who voted for it, he was prepared to take his share. The amount was far surpassing what he thought the actual value of the slaves; and, if the Government were only to wait till next year, they might buy emancipation at a quarter of the present price; but, then, in what state would the colonies be? He supported the grant for this reason: if emancipation was not given, more than 20,000,000*l.* would be spent in military preparations; and, what was worse, it would be against men who were merely asserting their natural rights. He would much rather give double, or any amount, to the planter, than have such a thing happen. The Government was entitled to great praise for the measure, and he was sure they would be supported by the country. He was quite aware that the people were suffering great distress, but he very well knew they would suffer a little more hardship, rather than lose all the benefits of the Bill. If it was not passed, they would lose the colonies. Were they not cheap at the price of 20,000,000*l.*? It would put an end to that murderous system of depopulation which had been so long going on in the West Indies. It would extinguish slavery in our colonies; and it was possible—in his opinion it was certain, to altogether extinguish the slave trade; and also, it would go a very great way towards abolishing slavery in the world. For all those benefits, would the people grudge such a sum? The Government, he was sure, would receive the co-operation of the slaves themselves—they would repay their debt of gratitude by their industry and their peaceable conduct in their new situation. The body of delegates, though against him on the compensation clause, were a most excellent body of men; but if they were opposed to him, he had one great name on his side; he could not name him now, without feelings of emotion—he meant Mr. Wilberforce; he bore a high testimony to the character of that gentleman, and regretted that he had not lived to see the cause he had so long and so ably advocated, carried into full execution. To no man were the words of the poet more applicable—

A veteran warrior in the Christian field,
Who never saw the sword he could not wield.
Who, when occasion justified its use,
Had wit as bright, as ready to produce;
Could draw from records of an earlier age
Or from philosophy's enlightened page,
His rich materials; and regale the ear
With strains it was a privilege to hear!

Mr. *Fryer* expressed his astonishment at the manner in which the question was met by the House. Scarce was the sound of a loan for 15,000,000*l.* out of the mouth of the right hon. Secretary, before he came down with a proposition for a grant of 20,000,000*l.*, and this was founded upon the value of slaves; but was giving 20*l.* for 32*l.* 10*s.* paying the full value? The planters would get the money, but would never execute the Bill; and the Bill was a dead robbery. The people of England did not make the negroes slaves, and why call upon them to pay the money? The House would not dare to make such a Bill for Canada, nor dare to take away the legislative rights of that colony. The other ground on which he was determined to oppose this grant was, that the House had no right to mortgage the future industry and labour of the country. There was no pledge given, that the sugar trade would be thrown open, and after all this compensation-money was granted, the West Indians might still charge the people of this country at as extravagant a rate as they pleased. He would oppose the grant *in toto.*

Mr. *Rigby Wason* opposed the grant as enormous and extravagant. According to the calculations made by the planters themselves, this grant of 20,000,000*l.* would greatly exceed the entire value of their slaves and estates in the West Indies.

Mr. *Harvey* said, it was curious, that after all that had taken place, they had not heard one word from the noble Lord about the source from which the 20,000,000*l.* was to come, and by whom the interest of it was to be paid. He had, indeed, heard it stated, and he should be most glad to hear it confirmed, that, inasmuch as emancipation was a Christian duty, it was in the contemplation of those to whom our interests in those matters were confided, to raise it by a sale of a portion of the Church revenues of the country. That would be a most comfortable assurance, for then there would be an appropriate correspondence between the end to be accomplished, and the means by which it was to be gained. But he was afraid that was a mere illusion. He remembered the eagerness and eloquence with which the right hon. Gentleman (Mr. Stanley) appealed to the House to give its unanimous sanction to the Resolutions, in order that they might be sent off as a rich freight to the Colonies. But they did not then foresee the dilemma into which they might be thrown. When Mr. Peel's Bill was brought forward, Mr. Canning most eloquently implored the House to give that Bill its sanction, and the House was so beguiled by the reasoning in that speech, that they decided upon a measure, the effect of which they had been deploring ever since. It was the same with the present measure. The House had been led away by their feelings, and by the feeling out of doors, to give this measure their sanction; but if, when all the meetings throughout the country for the abolition of slavery were held, it had been known that that great boon was to be purchased at a price of 20,000,000*l.*, he could not imagine those petitions would have found their way into that House. The House was now in such a situation that it was scarcely possible for it to retrace its steps. He was one who would not part with the twenty millions, without a proper equivalent; but the proposition before the House was, whether it should rescind Resolutions which it had previously passed? In his opinion, the House was bound to adhere to them, unless it could be shown they were founded upon false calculations, and embodied upon defective principles.

Mr. *Robinson* wished to know from the noble Lord (the Chancellor of the Exchequer) in what manner he intended to pay the interest of the money? He must, at the same time, state his concurrence in the grant, and he had no doubt that he should be able to justify his vote to his constituents?

Lord *Althorp* said, that he meant to propose to raise the money by an additional tax on colonial produce. He knew that the hon. Gentleman (Mr. Robinson) would not approve of that plan—he would rather have a Property-tax—but in that he did not concur. As he did not see that there were many Gentlemen who were prepared to vote for the clause, he did not think it necessary to go further into the question.

Mr. *O'Connell* said, as he understood the proposition, the noble Lord intended to raise the scale of taxation on other produce, so as to keep the advantage to the West-India body. Was not that granting a monopoly?

Lord *Althorp* considered, that, at present, our own colonies ought to have a preference.

Mr. *Herries* said, the noble Lord, in answer to the various questions put to him, had merely stated, that the ultimate intention of the Government was to provide for the interest of this debt by a tax on colonial produce; but he (Mr. Herries) thought this clause required a great deal more explanation, before the House could be justified in laying an additional burthen of 20,000,000*l.* on the people. It was the most unusual grant he had ever heard of.

Mr. *Stanley* did not rise to dispute the propriety of the right hon. Gentleman's observations, but merely to remind him that the question before the House was whether the blank should be filled up with 15,000,000*l.* or 20,000,000*l.*

Mr. *Herries* had not yet come to the passage relating to that subject, and, therefore, he considered he had been rather improperly interrupted. It was not stated in what manner, or how this sum of money was to be raised; but the Government were empowered to raise it in whatever way they pleased, without the control or authority of Parliament. On all occasions hitherto, every perpetual debt incurred by a Minister had been subjected to the confirmation of Parliament. He was sure the noble Lord opposite would not think it impertinent in him, if he called upon him to give a more minute explanation of the grounds on which he had framed that clause in the way in which it now stood. A subject of so much importance ought not to be discussed in the absence of so many Members on the Committee business of the House. He was afraid that the House was not in a condition honestly and fairly to refuse the compensation; but it was incumbent on the House to show that it was given with reluctance.

Mr. *Aglionby* could not permit the House to divide without stating his dissent from the sum proposed.

The House, it being three o'clock, resumed; the Committee to sit again.

NATIONAL EDUCATION.] Mr. *Roebuck* rose to move a Resolution in conformity to his notice, that the House would, with the smallest delay possible, consider the means of establishing a system of National Education; and spoke as follows:—Although the subject to which I am now about to solicit the attention of the House, can be surpassed by none in the importance of its influence upon the well-being of society; although none even at this time more imperiously demands consideration from the rulers of the people; yet all this, notwithstanding, I dare not, in the present temper of the political world, request the House to listen to anything like a complete exposition of my opinions and my plans respecting it. Men's minds are now in a ferment on matters solely of immediate import—the interest of the day, the pressing urgency of the present moment, are those alone which can command the consideration of the existing race of politicians. It would, therefore, be idle to hope, that a subject like general education could engage their favour, or even occupy their thoughts. Its results are distant—the benefits to be expected from it can only be attained by the slow operation of time, patience, and industry. There is nothing to raise the wonder and admiration of the ignorant many—no party—no individual purposes can be served by promoting it—nought can be obtained by its assistance, but the pure unalloyed benefit of the community at large—no wonder, then, that it has been so long, so steadily, so pertinaciously neglected. For so unpopular a cause I cannot hope to gain more than a brief, a very brief hearing. Amidst the jar of political warfare, I may, however, if peculiarly fortunate, obtain one moment of calm. Tired of contention, a slight truce may be agreed on by hostile parties; and for this brief interval they may be content to listen, by way of relaxation, to suggestions relating merely to the vital interests of society, unconnected with party, passion, or individual interests. I even have been too long in the stormy world of politics, and know too well the temper of this House to demand anything beyond this very slight and imperfect consideration of the great subject to which I am now endeavouring to obtain its attention. I will at once state to the House the course I intend to pursue. My purpose is, at the close of the few observations with which I mean to trouble you, Sir, to propose a Resolution, by which this House will acknowledge as a principle of Government, that the education of the people is a matter of national concern; that, as such, it ought to be the object of the most immediate, continued, and sedulous attention on the part of the Legislature; and that, therefore, in the next coming Session, this House will earnestly endeavour to frame some plan for the universal education of the people. It may, and perhaps will, be said, that this might have been delayed until the next Session, and our time might at present be thereby economised. This, to me Sir, appears an unwise economy. If the House adopt my suggestion, one step, and that a very important one, will have been gained. It being generally understood that the House of Commons acknowledges the great principle that the Government ought to superintend the education of the people, the attention of thinking men will be directed to the subject, and various matters suggested, by which the control and aid of the Government may be rendered efficient; and thus, when we proceed next Session to the investigation of the subject by a Committee, we shall find men's minds prepared on it, and not surprised and taken unawares. The enunciation of the principle is all that we could at first attempt, and there is no reason why that should not be done at the end as well as the beginning of the Session. Let no one say, that it is an abstract question leading to no practical result. This talk about abstract questions is usually an unintelligible jargon, it would be so in the present case. In order to establish eventually a mode of general education, certain preliminary steps must be taken by the Legislature. Ours, from the nature of things, is an operose machinery—what a despot would do, by the mere force of his will, we must do by influencing gradually the will of others. Now, one of these preliminary steps, one which must be taken, is to enunciate to the nation at large, our acknowledgment of the principle. This acknowledgment is itself a practical proceeding, and it leads also directly, and necessarily almost, to the establishment of the means of educating the people—in other words, it leads directly to, it is the necessary forerunner of, an important practical result. Such being the case, it is to be hoped that no one will, on the present occasion, feel indisposed towards the Resolution to be proposed, as not being of a practical description. In order then, Sir, to obtain the assent of the House to the Resolutions I shall have the honour to propose, I must make a few—necessarily a few—observations on the three following subjects — subjects indeed distinct, though intimately related to each other. I would first solicit the attention of the House to the more prominent benefits to be obtained by a general education of the people. Secondly, I would endeavour to show why the Government should itself supply this education; and, lastly, I shall attempt to trace a rude outline of a plan by which every inhabitant of this empire might receive the instruction requisite for the well-being of society. At the outset, to prevent misconception, I may be permitted to describe what I mean by education. The narrow acceptation of this term so generally received, has done infinite mischief. Education is usually supposed to signify merely learning to read and write, and sometimes, by a stretch of liberality, it is made to include arithmetic. But this is not education, it is simply some of the means of education. In ordinary conversation, when men say that education cannot relieve the necessities, or cure the vices of the people, they mean that learning to read and write cannot do this; and in so saying they are right. Putting a hammer and saw into a man's hand does not make him a carpenter; putting a flute into his hands does not make him a musician; in both cases you give him certain instruments, which if he have the knowledge requisite, he may use to good purposes, but if he do not possess it, they will prove either useless or mischievous. So may it happen with the instruments of knowledge. Unless the mind be trained to their exercise—unless the will and the power to turn them to good purposes, be conferred, not only will they be useless, idle powers, but they may be made eminently mischievous. But this narrow, vulgar acceptation of the term education, is not the correct one. Education means not merely the conferring these necessary means or instruments for the acquiring of knowledge, but it means also the so training or fashioning the intellectual and moral qualities of the individual, that he may be able and willing to acquire knowledge, and to turn it to its right use. It means the so framing the mind of the individual, that he may become a useful and virtuous member of society in the various relations of life. It means making him a good child, a good parent, a good neighbour, a good citizen, in short, a good man. All these he cannot be without knowledge, but neither will the mere acquisition of knowledge confer on him these qualities; his moral, as well as his intellectual powers, must contribute to this great end, and the true fashioning of these to this purpose is right education. Such, Sir, is the acceptation which I attribute to the term education. The actual training of the human being in his moral and intellectual being, whatever that training may be, good or bad, is education. The wild Indian, the dull and plodding peasant, and the far-sighted philosopher, are all educated. But to be rightly educated is to be made what I have just described—and when I hereafter speak of education, I shall intend good education. Were I to attempt any description of the mode of training which leads to this so desired result, I should exceed the patience of this House and my own physical powers. Such a description would be a work of months, not of minutes; the labour of a life, not the effort of some hours' consideration. I shall assume throughout, not only that such a training can be discovered, but that we have actually discovered it. I now will attempt to point out one or two results from such a training not usually adverted to, though of unspeakable importance; and I do so the more readily, because they are well calculated to attract the attention of the leading classes of existing politicians. While so doing, doubtless I may incur censure from the misjudging friends of the popular cause—but sure I am, that its more enlightened and virtuous supporters will bear testimony to the truth of what I utter. I need hardly, I think, Sir, do more than suggest to this House, that of the many evils which afflict mankind as members of political societies, there are many, very many, which are utterly beyond the control of Government, no matter how wisely fashioned, how virtuously inclined. In other words, we may say, that if there were this day in our own, or any other country, established a government perfect in its form, and in its composition completely virtuous, still the happiness or misery of the people would not be completely at its command. Of the evils which men suffer, it is true, some portion, ay, and an important portion, may be controlled by a government; but there is a still larger, far more important portion, which depends solely on the people themselves. Now, one of the first, one of the most important results from a proper education of the people, would be a thorough understanding on their part of the circumstances on which their happiness depended, and of the powers by which those circumstances were controlled. They would learn what a government could, and what a government could not do to relieve their distresses—they would learn what depended on themselves, what on others—what evils resulted from evil authority, what from popular ignorance and popular vice. Of all the knowledge that can be conferred on a people, this is the most essential; let them once understand thoroughly their social condition, and we shall have no more unmeaning discontents—no wild and futile schemes of Reform; we shall not have a stack-burning peasantry—a sturdy pauper population—a monopoly-seeking manufacturing class; we shall not have a middle class directing all their efforts to the repeal of a single tax, or to the wild plan of universal robbery; neither will there be immoral landlords wishing to maintain a dangerous corn monopoly; or foolish consumers, who will suffer it to remain. We shall have right efforts directed to right ends. We shall have a people industrious, honest, tolerant and happy. We often hear outcries against education, based on its dangerous consequences to the peace of the community and the security of property. It is asserted that men will wish to leave their actual station, and be unfitted for the common duties of life, by being taught to long for a higher and more luxurious condition. This whole outcry is grounded on a gross, and, one would have imagined, remarkably apparent fallacy. First, there is a misconception as to the meaning of the term education; and next, a rule is drawn from certain peculiar cases now happening in society, to the detriment of an universal education. What, however, may be true of a peculiar case, when only a portion—and a small portion—of the people receive education, will not be true, when the whole body are instructed. When the whole people are instructed education, even in the narrow sense of the term, will not, as now, be a thing of rare occurrence, and thereby a distinction—all will be alike; and no peculiar privilege will be sought by an individual because he happens not to be as ignorant as a savage. The Archbishop of Dublin in his excellent work on Logic, thus technically and forcibly describes this very fallacy:—'Thus, in arguing, by example, &c., the parallelism of two cases, 'is often assumed, from their being in some 'respects alike, though perhaps they differ 'in the very point which is essential to the 'argument—e. g., from the circumstance 'that some men of humbler station, who 'have been well educated, are apt to think 'themselves above low drudgery, it is 'argued, that universal education of the 'lower orders would beget general idleness; this argument rests, of course, on 'the assumption of parallelism in the two 'cases—viz., the past and the future; 'whereas there is a circumstance that is absolutely essential in which they differ, for 'when education is universal it must cease 'to be a distinction—which is probably the 'very circumstance that renders men too 'proud for their work.' Again, it should be observed that the education intended is expressly the teaching and training men to be all in their several conditions useful to themselves, their neighbours, and society. In the existing condition of society, however, it is worse than idle to say, that this cannot be effected by education, and thus to attempt a continuance of our present situation. If, as heretofore, the majority of mankind were content to be a slumbering mass—an inert and utterly inactive body—then the policy, as a selfish policy—might possibly be defended. But this is no longer the case. The business of Government is not, and can no longer be, the affair of a few, Within these few years a new element has arisen, which now ought to enter into all political calculations. The multitude—the hitherto inert and submissive multitude—are filled with a new spirit—their attention is intently directed towards the affairs of the State—they take an active part in their own social concerns, and however unwilling persons may be to contemplate the fact, any one who will calmly and carefully watch the signs of the times, will discover, and if he be really honest and wise, will at once allow, that the hitherto subject many are about to become paramount in the State. I speak not now in the character of one desiring or fearing this consummation, but merely as one observing the passing events around me, and I mention the coming circumstance in the same spirit as that in which an astronomer would predict an eclipse; to me the result appears inevitable; and I therefore cast about me to learn in what way this new force may be made efficient to purposes of good, and how any of its probable mischievous results may be prevented. Although I be one who believe that no good Government can be attained without the concurrence of the people—to speak in still plainer terms—that the people will never be well governed until they govern themselves—still I am far from believing that the golden age will be attained merely by creating a Democratic Government. The people at present are far too ignorant to render themselves happy, even though they should possess supreme power to-morrow. Of the many evils even which they now suffer, the larger part arises from their own ignorance, and not immediately from the Government. The Government, indeed, does not inflict much direct and positive oppression, although it produces immense indirect mischief. Indeed the evils of bad Government in this country are, for the most part, not of a positive, but of a negative description. The Government does not often immediately inflict misery on the people by any brutal or bare-faced oppression—but by abstaining from its duty, by shrinking from doing the good that it ought to do, enormous misery is allowed to continue. By fostering and perpetuating ignorance among the people, it inflicts more injury than by any or all of its direct oppressions—all its immense taxation, considered as a burthen, is a feather in the scale when compared with the ills produced by the ignorance it has engendered. Could we enlighten the whole population—could we at one moment give all of them knowledge and forethought—a thorough understanding of the circumstances on which their happiness is dependent—and at the same time endow them with fortitude to resist present temptations to enjoyment—in a few short years they would laugh at the taxes, when called a burthen, and wonder at those who believed, that so long as they existed, no happiness for the people could ever be known. This, Sir, is not a popular doctrine. It is one, nevertheless, which I have long held, and always openly avowed. Holding it, I have been, and am a strenuous advocate of education, as well as a fervent admirer of popular institutions. I am not the less desirous of remedying the ills arising from bad Government, because I see that many arise from popular ignorance. Neither shall I the less strenuously resist the present improvident expenditure of the Government, even though I see that its mischief is much overrated. One of the great reasons, however, for which I seek for thoroughly popular institutions is, that by this means the attention of the people might be steadily directed to the chief great causes of their misery. Bad Government no longer existing, that could not be deemed the source of all ill; they would then set themselves strenuously to discover wherein the mischief lay; and seek with something like a reasonable conduct, to apply the remedy. So long as our present faulty institutions, and faulty conduct continue, so long, I fear, will their attention be misdirected, and their efforts unavailing. Before I leave this part of my subject, there is one other beneficial result to which I would advert in very general terms. It is of a practical nature, and is connected with matters thought of immediate import even by the practical politicians of the day. It should be remembered that no system of police or of punishment, and no system for the regulation of the poor can be complete without embracing education as a part of the means to be employed. In support of the first part of this assertion I will make two short quotations. On the first I do not rest as an authority; but I take it merely as explicitly stating my ideas on the question; it is extracted from an article in the last number of *The Jurist*, on the punishment of death [Here the hon. Member read the quotation]. In the next extract, however, I do rest with great confidence, as I know of no higher authority in the whole range of practical legislators. This extract is taken from the introduction to the Code of Prison Discipline established in Louisiana, which code, as must be well known to every one in this House, was framed by the profound and philanthropic

Livingston [Here the hon. Member read the extract]. I now take leave of this part of my subject with this single remark;—In the observations which I have made respecting the advantages to be derived from a general or national education, I have abstained from any appeal to those singular and exalted motives which may be supposed to actuate the philosopher and philanthropist in their efforts to ameliorate the condition of mankind. I have not attempted to prove, that a people accustomed to derive their chief enjoyments from intellectual sources can alone be a happy people. I have not attempted to describe as the end to be obtained (thereby attempting to make that end the chief motive to exertion) the exalted and ennobling spectacle of a highly enlightened nation, among whom the law had become simply a rule of conduct, which all cheerfully followed, with hardly any other sanction than public opinion, among whom the governing authority was a guide zealously followed without threats and without cavil. I abstained, Sir, I say, from all appeals of this description; for although these to some might have been the most potent arguments, I fear that in the present temper of the political world, had I indulged in this course of remark, I should thereby have received the censure of being an idle dreamer, a wild and dangerous enthusiast. I now, Sir, proceed to the second object which I proposed to myself—namely, attempting to point out the necessity of making the education of the people the business of the Government. In the first place, Sir, I would beg to remark, that this idea is not only not a new one, but that at this moment the most enlightened nations of the earth have taken upon themselves that task, which I am now endeavouring to recommend to the consideration of this House. Within a few days we have seen a law passed to this end by the Legislature of France—a precedent which I pray to God we may have wisdom to follow. In Prussia and in Saxony a more complete system of public instruction is now in operation than has ever yet had place in any nation of the world. Speaking of these two nations, with respect to their systems of education, Professor Cousin pointedly observes—"I consider France and Prussia the two most enlightened countries in Europe—the most advanced in letters and in science—the two most truly civilized, without excepting England herself—all bristling with prejudices, Gothic institutions, and semi-barbarous customs over which there is awkwardly thrown the mantle *d'une civilisation toute materielle.*" I cannot pass this work of Professor Cousin, without pointing out, as an example to our own Government, the circumstances which produced this admirable work. The French Government, desirous of framing a law on this all-important subject, and not being too proud to learn from the experience of others, sent one of its most renowned philosophers to make inquiries on the subject. It sent him, too, into a State to which the people of France are peculiarly hostile—namely, Prussia; thus showing that idle prejudices could not divert them from the path which wisdom pointed out. I may also mention, that, in America, the magnificent provisions for this same great object surpass all that the world has seen before. The single state of New York has dedicated to the advancement of knowledge a prospective revenue that must shortly surpass the whole revenue of the State, and more than equal to the enormous sums which we lavish upon our Government. Passing, however, from the authority derived from these striking examples, I would endeavour to rest the question upon its individual merits. No one, I suspect, will dispute that it is the duty of the Government not merely to punish all infractions of security, whether as regards person or property, but also to prevent, as far as possible, all such infractions. Neither will it be denied, I think, that among the most potent means of such prevention is a good education of the mass of the people. If, then, we seek no higher ground, we may here safely rest, and say, that, as mere matter of police, the education of the people ought to be considered as a part of the duties of the Government. If, however, we do seek a higher ground, the argument becomes stronger. If we consider it the business of Government not merely to prevent evil, but also, by the concentrated force of the social system, directly to promote good—to increase, by all the means which its powers confer on it, the happiness and well-being of its subjects—then the mode in which the people are educated ought to be one of its first and most important objects of consideration. We find that, in order to maintain the peace of society, the Government takes upon itself the business of administering justice—for the better regulation of the mercantile transactions of its subjects, it takes upon itself the regulation of the money of the country—for the furtherance of intercourse, it superintends the roads of the country;—and in a hundred other ways shows, that it does take an active part in the actual promotion of the well-being of the community. It makes laws, also, for the regulation of public morality, thus actually making the business of training of the public mind one of its attributes. Inasmuch, then, as this training is among the chief means of regulating public morality—as it is one of the chief means of furthering generally the well-being, the happiness of society—insomuch, we may say, without fear of refutation, that the business of education ought to be deemed one of its chief concerns. There are, however, some objections made to this statement, which I deem it right here to notice, The first on which I shall remark comes usually from persons favouring the popular cause, and dreading the influence of Government. It is dangerous, they say, to put such an instrument as education into the hands of Government; lest thereby the public mind be debauched, and slavish ideas and habits alone be propagated. My answer to this objection is two-fold. First, I observe, that by the plan which I should propose, no such result will be produced, because, though I propose to make the education of the people a matter of national and not merely individual concern, I should propose that the persons to determine, in the last resort, on the subject matter of instruction, and on whom the actual task of instruction shall fall, should be the people themselves; the people acting, however, in a public, and not in a private capacity. But, secondly, I observe, that I cannot admire the policy of those whose sole end seems to be to bind the hands of Government, and who fancy that a good Government is one totally without power. I know, indeed, that this policy has been followed almost invariably by the friends of the popular cause in England. All their efforts have been directed to the end of rendering the Government harmless, powerless to good as well as to evil purposes. They seem studiously to have avoided the consideration of a means of making the Government strong to useful, weak to mischievous purposes. Another objection, which I here deem it right to notice, does not, indeed, claim attention from its own interest or cogency, but merely because it comes from an authoritative quarter. It is this:—If the Government take upon itself the business of popular education, it is said, that private contributions and efforts to the same end will cease, and thus one means of connecting the different classes of society, the poor and the rich, will be destroyed. My answer to this is, that I see no reason for believing that the efforts of the more enlightened classes would relax; on the contrary, I have very great hope of seeing, in consequence of an improved plan, a much more constant and affectionate communication between different classes of society, than any which now exists. The efforts, indeed, of all would be more systematic, more sustained, less guided by caprice in individual differences of character and feeling. What is now whim, or the result of peculiar and individual sympathies, and therefore called charity, would then be constant, would be considered a duty, and would thus be far more effective than now. It is true there would be no patronage in the case—there would be no charity-schools of this or that individual—there would be no ostentatious display of aid on the one hand, and abject subservience on the other. The children of the poor man would receive instruction and incur no obligation but to the State—no painful feeling of degradation would attach to it; whereas now a stigma is affixed to every one who receives gratuitous instruction. No independent and exalted feeling can arise amongst those whose existence is marked, every day of their lives, with the broad indelible stain of living by the bread of others. But this objection, in fact, arises from a thorough misconception of the mode in which any well-digested scheme of education would attempt to attain its end. In our Government (and for the present we need not travel beyond it) the real control is in the hands of the more wealthy portions of the population; and, even in the most democratic states, the actual business of Government falls very much upon them. But those are the very persons who now contribute, from their private purses, towards the gratuitous education of the poor. As the leisure class must, of necessity, be the most instructed, and as we should wish the most instructed to undertake the office of instructors, it is this leisure class that would in a good Government—always indeed subject to the control of the mass of the population—be the guides to the rest of the people in the business of education, as also of Government. But, instead of being such guides in their private capacity, and subject to no responsibility, they would be so, in a public and responsible character. Excepting under a despotism, a people can never, as a mass, be raised by any sudden steps above the most civilised classes of the community. You may, indeed, bring the mass up to the highest; and you may, by slow degrees, afterwards hope to raise the general standard. But where the people are to be the instruments of their own improvement, we can only hope to improve them imperfectly at first, and only step by step. The great object, however, in any plan of general education would be to make the most instructed classes the guides; and there is no way, in our country at least, more effectual to this purpose, than by making the mass of persons, who really constitute the governing body, these guides; and as the object is, not merely to make them guides, but active and effectual ones, it would be advisable to make it their duty to perform this important service thus required of them. Do what we will, say what we will, this class must guide and govern; our business ought to be, to act in both capacities under a constant feeling of immediate and urgent responsibility. There is one other and more potent argument, however, against leaving the means of popular education in its present state—and that is, the hitherto imperfect success of all private efforts to educate the people. If the matter were one of minor import, we might, perhaps, be justified in leaving it still to chance; but as it involves the entire happiness of the community—as without a much more complete system of education this happiness can never properly be provided for, all tampering with the difficulty—all hesitation or carelessness as to pursuing the course open before us, is in the highest degree criminal as well as absurd. We all of us seem to feel the necessity of supervising our Criminal Code—our Code of Prison Discipline—our Poor-laws; but all these are only off-shoots of, or adjuncts to, a system of Education. That is the great touch — the main-spring of the whole. We allow crime and misery to spring up, and then attempt, by a vast and cumbrous machinery, to obviate the mischief. We punish, we do not prevent—we try to put down effects, without caring for the cause. Like ignorant physicians, our minds are absorbed by a consideration of symptoms, while the disease is making head, to the utter destruction of life. And why are we thus remiss? Shall it be said, that because simply the benefit of the whole community was concerned in the matter, and no selfish interest could be promoted by it, we were careless regarding it? Shall it be said, that the Government of England only abstained from interference in that case where its assistance might have been afforded with the most pure and unalloyed benefit; and that though boasting of our acts and our learning, and proudly claiming to be placed at the head of the civilized world, we were content to suffer the mass of our population to be educated as chance might direct, and to form what habits and desires the merest hazard might determine; that while we minutely inspected, and jealously guarded the interior of a beer-house, the school that was next door, where the minds of all the parish—and not a few—might be framed to good or evil, was passed by with utter—ay, and scornful—indifference. I have now arrived at the last object, which I proposed to myself at the outset. After having touched upon some of the more prominent benefits to be derived from a general education of the people, and pointed at some of the advantages likely to result from the assumption by the Government of the office of instructor, I have now, Sir, to give a rough sketch of the manner in which this general education might be effected. When considering any system of education, we must carefully divide from each other; first, the subject-matter of instruction; second, the various machinery by which this instruction is afforded; and third, the supervising and contending authority which regulates the whole. Much confusion has unluckily been created by not paying attention to this very obvious division. Premising then, Sir, that I shall endeavour to keep these very dissimilar things perfectly separate, I shall proceed, at once, to the exposition of my plan; remarking, however, that though these matters be distinct, they, in description, will constantly run one into another; and that, consequently, I must often anticipate a knowledge of parts of my plan, when, in reality, I have not yet described it. This is a difficulty attendant on all subjects, complicated as this is, and by no means resulting from any peculiar division of it. The first great innovation that I would strenuously recommend is, to make the education of the children no longer dependent on the mere will of the parents or guardians. I would make it a matter of necessity—in other words, would pass a law, making it an offence to keep a child from school between certain years of age. By the Prussian code this duty is enforced in the following words:—"Art. 43. Every inhabitant who cannot, or who wishes not to give his children at his own house such instruction as is deemed necessary, is obligated (obliged) to send them to school (*i. e.* to the national school) from the age of five years, accomplished." "Art. 44. Starting from this age no child can be absent or keep from school for any time, if not on account of peculiar circumstances, and with the consent of the civil and ecclesiastical authority." These various quotations express pretty distinctly what I intend. In general terms, I would say, that I would oblige, by law, every child in Great Britain and Ireland from, perhaps, six years of age to twelve years of age to be a regular attendant at school. If the parents be able to give, and actually do give their children elsewhere sufficient education, then they should not be compelled to send them to the national school. If, however, they should be unable or unwilling to give them such instruction, then the State should step in and supply this want, by compelling the parent to send the child to the school of the State. Now, Sir, I feel well persuaded that this declaration will be exceedingly unpopular in many quarters. There are two classes of objections to it that I will here notice, observing at the outset of my reply to them, that I consider this compulsion absolutely essential to the success of any scheme of general education. It must be recollected that the power of the parent over the child is a fiduciary power—a power surrounded by various obligations both to the child and to the public. The chief of these is to educate the child in such a way that he be a virtuous citizen. If the parent neglect this duty, the State ought to, and in the case of the rich, does, step in and see that the duty thus neglected shall be performed. But say, one class of objectors, this is an arbitrary interference with the rights of the parent; it is making the State despotic, and robbing the people of freedom. I ask, Sir, in the first place, if it rob the people of rational freedom? We every day coerce the people by laws, and rob them of freedom. We rob them of the freedom of killing their children; we rob them of the freedom of brutally treating their children—and the Magistrate can by fine and imprisonment punish any parent who thus maltreats his offspring; and shall it be said that he ought not to interfere in the far more important case of continuous neglect of the child's best interests, in his most vital concerns? He (the parent) is not permitted to give his child a cruel beating, but he may, according to this class of reasoners, consign him without let or hindrance, to a degrading and dangerous ignorance. He may render him a curse to himself, and a nuisance to society at large. This appears to me a childish adherence to a name—a fatal disregard of the necessary limits, which prudence every day compels society to put upon the freedom of its Members. Freedom in itself is not a good thing—it is only good when it leads to good—if it lead to evil, it must be, it is every day, restrained by the most stringent and coercing bonds. Again, Sir, I would remark, if the State or Government cannot be thus trusted—it is a proof that the Government is a bad one—if so, get rid of it, reform it, make it a good one—but in the name of all that is reasonable, do not deprive it of all means of doing good. The argument thus constantly used is a cogent one against the existing Government—it is none whatever against the proposal to intrust a good Government with the power in question. But, Sir, I must assume that the Government, by its very existence, proves itself good to this purpose. If on trial it should prove to be otherwise, we must not take away the power which must be intrusted to it, we must revise its form, and improve its responsibility. There is another objection, however, which rests on a different ground, and deserves far more attention. It is this; the State school may teach doctrines, which the parent holds to be pernicious, and he may therefore, from conscientious scruples, withhold his children from school. In answer to this, Sir, I would observe, that by the plan which I shall hereafter state, I believe much of this difficulty will be avoided. In the first place, the majority of the heads of families will determine on the subject matter of instruction, and I have little doubt they will quickly see the impropriety of forcing, or attempting to force upon any one, opinions which they regard with disfavour. In fact, I hope, I have very great expectation, that the National Schools will thus, when intrusted to the whole people, become, in the best sense of the term, national; that the subject-matter of instruction will be made to include such matters, and such matters only, as will be in accordance with the whole of the people. With the permission of the House, I would here read a passage from the law of Prussia on this head, which conveys a useful lesson to all people:—'Difference of religion in Christian schools, 'necessarily produces differences in religious 'instruction. This instruction will always 'accord with the spirit and dogmas of the 'worship to which the school belongs. 'But, as in every school of a Christian State, 'the spirit which is dominant and common 'to all confessions ought to be piety, and a 'profound respect for the Divinity, every 'school may receive children of another 'Christian worship. The masters and the 'superintendants ought to avoid, most 'carefully, every species of constraint, and 'everything that would give pain to the 'children on the subject of their peculiar 'worship. No school ought to abuse its 'opportunities, in order to promote any 'view of proselytism; and the children of 'any sect or worship differing from that of 'the school, ought not, either against their 'own wishes or those of their parents, to 'be compelled to attend either the religious 'teaching or exercises. Peculiar masters 'of their own sect shall be charged with 'their religious education; and wherever 'it is impossible to have as many masters 'as differing sects, there the parents ought 'with all possible care, to fulfil those duties 'themselves, if they desire that their child'ren should not follow, in these particulars, 'the lessons of the school.' Any people or Government pretending to the character of being civilized, would strictly adhere to these admirable instructions. In populous places also, as in even tolerant Prussia, schools of different sects might be established; and, as with them, even our moral schools might regard different professions of faith. It may be said, that however necessary may be this compulsive attendance, yet the idea to the people of England is too novel to be immediately acted on by the Legislature. I willingly admit this objection to have great weight; but, on the other hand, I ask how long would the prejudice against it live in the minds of the people, if their Representatives in the solemn exercise of their high functions, were deliberately to declare its necessity? Not a day, not an hour, if the people once believed the House of Commons really intent on the welfare of the community. And in this matter, if the law were accompanied by the careful restrictions and paternal considerations evinced by the Prussian authorities, every thinking man (and the thinking men guide the remainder) would at once see, that a pure and exalted benevolence had presided over this legislation. The prejudice would at once fade away, and a cheerful obedience would be given to the law. It being once established, that every inhabitant was to be provided with instruction, all subsequent regulations must keep that point in view. And now, first, as to the subject-matter of instruction. Although the State determine, that every child should receive some instruction, it does not thereby declare that the instruction to all should be alike. What the quantum of instruction should be in the various cases, would have to be determined by the supervising authorities, of whom I shall hereafter speak. I need here only make the following remarks respecting it:—In infancy all children, no matter what may be their after-destination in life, require the same treatment. All that we can do in that tender age is to provide for the due development of the body, prepare the mind for culture, and lay the foundation of habits of application, and self-government and kindly sympathies. As far as regards the moral training, this age is all-important; as regards the mental, comparatively less so. But inasmuch, as all require the same moral training—that is, as in all the same class of virtues are required—so the training by which alone those virtues can be produced, ought to be extended to all. "Effort and sacrifice," profoundly observes Professor Cousin, "Voila les conditions pour savoir quelque chose, et pour être honnête: déguiser à l'enforcé ces conditions, c'est tromper sur la vie humaine." When I come to speak of infant schools, I shall draw an important practical conclusion from this fact. After the age of infancy is past, and it becomes necessary to convey instruction consonant to the condition of the receiver, then we must take into consideration the necessities which that condition involves. In the present state of society, however, there are certain instruments to the acquirement of knowledge, which are deemed so to facilitate its acquirement, that to all alike these instruments are imparted — namely:—reading and writing, and the elements of numbers, which last knowledge in a certain sense, may also be considered an instrument. On this portion of instruction I would observe, that its utility depends entirely upon the facility in its employment which is obtained by the scholar. At present it seems very generally believed, that a rough sort of knowledge of reading and writing is sufficient for the poor man. This is a great—a fatal error. Whilst reading is difficult it cannot be made a means or instrument of knowledge. The mind is absorbed by the process, its difficulties attract attention all to itself, and the subject matter is necessarily passed over. Any one may judge of this in his own case by reading a foreign language. Let any one not conversant with Latin, for example, read a passage of Cicero. Let him, by way of experiment, see what he can make of the distinction contained in the essay *De Divinatione* and if the person so making the experiment, be not master of the language he will quickly see how hopeless will be his attempt to direct his attention to the subject-matter of the essay. So with reading in our own language; the process must be one so easy and familiar, that we must not regard it, otherwise we shall vainly hope to make it an instrument of knowledge. This is a much more important point than persons not accustomed to reflect on the business would readily admit. It is, in fact, the foundation stone—if it be not thoroughly secure at first, all future additions will be useless. And the practical conclusion is, that if we do really undertake the instruction of the people the most complete use and facility in the exercise of these important instruments should most religiously be imparted. The next point regarding the subject-matter of instruction to which I shall advert, is the variety of instruction, or, in other words, the differing sorts, differing in consequence of the different destinations of the scholars. All that I have hitherto spoken of may be called "Primary Instruction," and should be alike in all. The forming the mental powers for the reception of knowledge, and moral powers to fulfil the duties of life—the imparting a perfect facility as to the instruments of knowledge—so far education is the same for the rich and the poor—the ploughman and the philosopher—the maker of pins and the maker of laws. When actual knowledge beyond this comes to be imparted, then comes a consideration of the future destination of the scholar. Any comprehensive system of education would contemplate and include all classes, and for that purpose a series of schools would be adopted rising from infant schools to the all comprehensive university. But in the present state of the public mind, this is more than I dare contemplate. However imperfect the scheme—however reluctant I may be, I must force myself, at present, only to consider the immediate education of the mass of the people. I cannot, however, avoid making one remark on this topic. No education of the mass will be anything approximating to perfection, while that of the higher classes of scholars is imperfect. The infant school will never be properly conducted while the University is imperfect. Reading will never be properly taught while philosophers are wandering in ignorance. Every portion of the whole great scheme of education is intimately bound together—and all are necessarily associated with the every day business of life. The patient thinking of the solitary student, neglected though he be, his name unknown, his influence around him being nought, will often win its way into the world, and certainly, though silently, change the destinies of mighty nations. It is he who fashions the thoughts and feelings of the multitude, though they know him not. How little consonant then is it with ordinary prudence in the Legislature of a civilized people to neglect the institutions by which these guiding minds are fashioned and directed! But, Sir, I quit this subject with reluctance certainly; but under the painful conviction that any attempt of mine would be useless regarding it. I shall confine myself to the consideration of the instruction of the mass of the population—namely, the poor, and the formation of their teachers. The first distinction that suggests itself, is that of sex. Men and women have very different offices to perform in life, and therefore require very different sorts of knowledge. As a striking proof of the necessity of instruction on the part of the women of the poorer classes, I will refer to the evidence of one, who, from personal experience, thoroughly understands the subject on which he is speaking—I mean Mr. Rowland Detrosier. In perfect agreement with these remarks, has been the conduct, I hear, of that noble Lady, the Grand Duchess of Saxe Weimar:—"Mad. la Grande Duchesse, vient d'établir à Weimar une école speciale pour les filles pauvres, où on leur apprend à devenir des bonnes ménagères." As respects the boys, they should be taught their various trades; and from experiments made in America, we see that their labour might contribute materially to their own maintenance, and the furtherance of their own education. These schools of industry might be made a blessing to the nation at large. There is one portion of instruction to which I feel compelled to advert, although by so doing I fear I may incur displeasure. I hold indispensable, both as regards the well-being of the State, and of the individual himself, that every man should receive a good political education. Let me explain what I mean by political education. He should be made acquainted with the circumstances on which his happiness as a member of society is necessarily dependent; and also he should know the general principles of the Government under which he lives. For example, for the well-being of the mass of labourers it is essential that each should know what circumstances govern the rate of wages. If this had been understood, does any one believe, that we should have had "Combination Laws" on the one hand, or combinations on the other? Can any one believe that an enraged, because badly-paid population, would then have burned ricks, in order to raise wages? Or that we should see unhappy, and futile attempts at strikes? Knowing on what the rate of wages really depended, the enlightened labourer would have pursued the only mode by which that rate can be increased. He would have done it peaceably, but certainly. Neither will I attempt to disguise from this House my opinion that good government can only be obtained by instructing the people; as I have already asserted, any one who will look before him must see the growing political importance of the mass of the population. They will have power. In a very short time they will be paramount. I wish them to be enlightened, in order that they may use that power well which they will inevitably obtain. I now pass to the second portion of the plan, which I have called the machinery by which the instruction is to be imparted. This machinery is of threefold nature: 1st, schools; 2nd, masters; 3rd, money, whether acquired by taxes or otherwise. The schools which I contemplate (since, as I have already observed, my plan is confined to the education of the poor) are of three separate classes:—1st, Infant Schools; 2nd, Schools of Industry; and 3rd, Normal Schools, or schools for the instruction of masters; separately for boys and girls. As the purpose is to educate everybody, there ought to be in every parish in the kingdom at least one infant school, and one school of industry, and this without any exception. As the law would be imperative in demanding the presence of the children, justice would demand that the schools should be placed within their reach. In all cases where the size of the parish demanded a greater number of schools, more than one would be erected. Many expedients I have heard mentioned, by which the richer classes might be brought into intimate and affectionate union with the poorer. In every part of England, London, perhaps, only excepted, this might effectually be done by sending the children of both classes to the same school; for example, to an infant school. By my supposition this school would be regulated according to the highest state of knowledge now existing respecting the rearing and education of infants; and if the children of the tradesman and gentleman were sent (not by compulsion, but voluntarily) to the school at which the poor cotter's child was taught, much real benefit would be conferred on the last, and no slight good reaped by the former. The more educated mothers would anxiously watch after their own offspring, and thus, in reality, preside over the well-being of the others. A more forcible, and yet gentle bond of sympathy could hardly be imagined than the one here supposed. It may be thought that I am trusting too much to my imagination, and conjuring up a picture which no reality can sanction. Happy am I to be able to say, that experience really bears out what I say. In Massachusetts the national schools are so admirably conducted, that the children of all classes receive their instruction from them; and I really can see no reason why ours should not be equally efficient. I must observe, that if our infant schools were not so conducted, as regards cleanliness, the manner and matter of instruction, as to be fitted for the richest amongst us, then they would not have reached that point at which I aim. If they did, I am inclined to think, that if we were a reasonable people, they would soon supersede all others. The schools of industry would have two objects in view—first, the imparting of what may be termed scholarship; and, secondly, the knowledge of some trade. I would have these two objects connected, because thereby time might be saved, and much knowledge gained with pleasure instead of pain. When speaking of what I have termed scholarship, I would by no means have it supposed that I would confine it to mere reading, writing, and the elements of numbers. Most deeply do I feel the importance of imparting to every human being the inexhaustible fund of enjoyment derived from intellectual pleasures. Ask a man who has once learned to derive pleasure from these pure sources, what power he prizes above all others, that which he would sell for no price, the deprivation of which would render life a blank, and existence a burthen, and he would unhesitatingly answer, the means of mental enjoyments. I speak not in the language of boasting, or of exaggerating rhetoric, when I declare, that from the perennial fountain, the poor man may draw a draught that will cheer him over the rugged path of his life; that possessed of this, he will envy no man his possessions; though poor, he will not feel his want of riches; it will arm him against sorrow, and teach him to bear up against affliction. To rob human life of woe is impossible, but that which most effectually soothes the wounds and stings which hard fortune inflicts, which will multiply, and enhance the pleasures which cross us in our path through life, is assuredly the godlike attribute of deriving pleasure from intellectual sources. This being my opinion, and I speak from the teaching of experience, I would not curtail the instruction which should be imparted to the poor man. There is one limit which his lot affixes. It is his fate that he labours for the means of his actual being. But I would intreat the legislator, who has to fix what this should be, to stretch to the utmost boundary which prudence will permit. Besides mere scholarship, I would give such knowledge as would create a taste for art, and above all, as a cheap means of recreation, one which every poor man can attain, and also, as a powerful means of softening and exalting the character, music and singing should be made, as in Germany, an invariable portion of instruction. Added to this, such portions of natural history, and of the nature of our own physical system, as would enable the people generally to understand the ordinary phenomena of nature, and to preserve their health. This, with the careful watching of their moral character, and the communicating a general knowledge of our Government and other institutions, with such portions of political economy as regarded their condition, would be the object of the schools of industry. The ages to which they should be limited would be from seven to fourteen. In the towns, however, another class of schools might be established, to contribute to the instruction of persons above fourteen, who might have leisure from their employment during the evening, Sundays, or holidays. Such schools would be of immense service, preventing idle habits, and low and debauching pleasures from arising among the youths in the towns. Of the Normal schools I will speak in conjunction with the next subject, viz. masters. The great object of these schools would be to create masters for the national schools, and unless great care and diligence were employed in the early formation of these masters, little could be expected from a national education. Such young men as determined on the vocation of a teacher, would, upon having made at the school of industry certain advances in scholarship, be received by the Normal school upon examination: and on having gone through the various stages of those schools, which would occupy their time till they reached the age of twenty, they would receive a certificate constituting them teachers of national schools. The course of instruction at these Normal schools I need not touch on, as it would necessarily require great consideration, and would not be determined on without the most grave and deliberate inquiry. The certificate obtained by any young man would greatly aid him when candidate for the office of teacher. Such a proof of merit would have most weight with the people, and I would leave it open to any one to apply for it, on examination, whether he had gone through the Normal school or not. But as the inquiry would extend over his whole life, in order to learn his moral as well as mental character, the certificate would not be too easily obtained. These masters, when chosen by the people, would become an order of the State endowed with a great trust, which, if fulfilling that trust with fidelity, would render them worthy of the highest respect and consideration of the people. The certificate conferring a profession on the teacher, he would be liable to lose it on forfeiting the title of a moral man. In certain cases to be specified, he would lose his certificate, and thus be degraded from his office. If the old age of any public functionary ought to be guarded against the assaults of want, it would be that of a faithful teacher of the people. I come now to speak, Sir, of the money, or means by which these various schools should be maintained. In the first place, all persons capable of paying ought to pay. The authority which shall determine who can, who cannot pay, I shall immediately speak of. If these payments should not prove sufficient, and in very few cases would they be so, a general tax must be laid on the people to that end. If, indeed, the private contributions, and the existing funds dedicated to instruction, be sufficient, I shall feel happy; but if they should not, then there should be no hesitation to lay on a tax for the purpose. And I would observe to those parsimonious legislators who would object to this, that the saving gained in the business of administering justice would quickly cover any increased expense. Does any one believe that maintaining the Millbank prison is a cheaper process than a school of some hundred children? On putting the same question in a different form, would it not have been cheaper to have the men, when boys, industrious and honest, than to attempt that process now that they are men, and confirmed thieves? If, however, it should be supposed that, in spite of the improvement of the people, there would yet be an increase of expenditure, I would suggest the expediency of saving the surplus out of any service rather than from that of public instruction. I would point to any and every branch of the Government before this. The Army, the Navy, the diplomatic service, the Home Government, in short, I would curtail every officer in the State from the highest to the lowest, rather than be parsimonious on this most important of all the services of the State. I must here leave the subject of money. I have now arrived at the last subject on which I shall touch; which subject, as ill fortune has determined, is the most delicate point of all—that on which differences of opinion are most likely to arise, and heats and animosities to have place; I mean the subject of the governing authority, by which the whole system of national education should be regulated. In this, as in the other matters, I will be perfectly explicit, and at once state what I deem necessary to the good government of these schools. The machinery of my government would be simple—first, there would be the people acting as electors. I should wish that the head of every family should possess a voice; but if this should be considered too democratic, why then every person who contributed towards the funds by which the schools would be maintained, should be endowed with this privilege. The whole country should then be divided into school districts, in each of which there should at least be one school. In the government of the school or schools of each school district, the people having the privilege of voting, should elect every year five persons who would be called, say the School Committee; and it should be their business to select and dismiss the master; to supervise the school, and, in the last resort, to determine on the instruction that should be then afforded. Being fairly chosen by the people, it may justly be supposed, that they would represent their opinions; and being selected from a large number of persons, they would, probably, indeed certainly, be among the most instructed persons of the community. Without this, or some other mode were adopted, of making the people the guardians of their children's instruction, there would be, and justly too, eternal discontent throughout the community. Any attempt to throw the power into the hands of the Magistracy, would utterly ruin any scheme that could be devised. Besides these committees in every school district, I would have one other officer, and he should be among the highest in the State, indeed, a member of the Cabinet; and whatever might be his name, he, in fact, would have to fulfil the functions of the minister of public instruction. The business of his office would be a general supervision of all the national schools in the kingdom. He would have to determine, on the application of the school committees, what extra schools should be built. He would apportion the sum of money to be given to each district, for masters, for books, and repairs, and a hundred other things. Besides this, the Normal schools would be wholly under his control, and he would have to select for himself, and on his own responsibility, the masters and governors of each. In addition to these duties (and it will be understood that I am only giving a rough sketch of what those duties would be), in his character of general supervisor of schools, it would be his duty to make suggestions as to improved modes of teaching, and as to subjects that might be taught. Suggestions coming from a Minister of his high station would always have great weight, so that, by care and industry, he might materially and constantly improve the whole system of education. In furtherance of the same end, also, it would be a very important part of his duty to watch over the composition of books of instruction. The vital importance and great difficulty of this task can only be duly appreciated by those who have paid great and minute attention to the subject of education. The composition of books for the education of mere children is one of the most difficult portions of art. On this point M. Cousin well remarks, when touching on this matter:—"Je ne reprocherais M. le Ministre, de ne pas appeler quelques instans de votre attention sur les livres qui sont employés dans les écoles populaires, de diverse importance en Saxe Weimar. *Rien n' est plus difficile* à bien faire que de pareils livres, et le defaut d'ouvrages convenables en ce genre est une des grands plaies de l'instruction populaire en France." It may be said to be so of all instruction whatever in England; and no

Minister could perform a greater service for his countrymen than by providing for the composition of works adequate to the business of instruction. Further into the details of my plan I need not now enter. All these matters must necessarily be made the subject of very close and careful inquiry, over which, it is to be hoped, wisdom will preside, unswayed by passion, prejudice, or partial interests. I have now, Sir, gone through the whole of this very dry and unamusing detail, and have performed, to the best of my ability, the onerous task I had proposed to myself. The subject itself is not attractive; and it has, I fear, been rendered still less so in consequence of the inadequate ability of him who has brought it before you. I cannot, however, quit this subject, and leave it in the hands of the House to be dealt with according to their judgments, without appealing to them with the most unfeigned and deep anxiety, to weigh well, and without the bias of any party feeling, the great question which is now before them. They are not now to determine upon any minute portion of the general welfare, but upon the whole of the multitudinous interests of this mighty empire. They are called upon, in their high character of legislators, to determine on the future destinies of many millions yet unborn; and to say whether their happiness shall be left to the caprices of chance, or be fostered, guarded, and directed, by the paternal care of a wise and benevolent Government. You have this day to declare whether the Legislature of England is imbued with the spirit—whether it possesses the character and feeling—which should distinguish the rulers of an enlightened and generous people; whether we are anxious for the welfare of all, however lowly, and solicitous to provide for the well-being of the most helpless classes amongst us. Perhaps, I may be permitted to observe (and I do so without any intention of manifesting disrespect for this House) that we have not, perhaps, a body of legislators who could have satisfied the expectations that are formed respecting us. There is but too generally received an opinion, that we are not solicitous concerning the well-being of the mass of the population—of the poorer classes—but that all our acts and determinations result from personal, or certainly from partial, considerations. The most effectual answer that we could give to such statements, the most powerful means we could employ to regain our place in the affections of the people, would be to prove to them, by passing the Resolutions which I shall immediately read, that we are alive to their dearest interests, and that we have determined industriously to forward them by the most effectual mode which our judgment can devise. If we do this, we may be regardless of all hasty and partial declarations concerning our motives and our conduct. A patient and thoughtful people, such as the people of this country, will truly appreciate the benefit conferred on them by this beneficent determination, and bestow on us a reward that the proudest would gladly receive—a grateful nation's heartfelt and affectionate approbation.— The hon. Gentleman concluded, by reading the following Resolution: — That this House, deeply impressed with the necessity of providing for a due education of the people at large; and believing, that to this end the aid and care of the State are absolutely needed, will, early during the next Session of Parliament, proceed to devise a means for the universal and national education of the whole people."

Mr. *Grote* said, he had great pleasure in seconding the Motion of his hon. friend, after whose very able speech it was unnecessary to trouble the House with many observations. He seconded the Motion, in the belief that two things were perfectly true. The first was, that the present system of education was defective — the other, that the defects of the system would not be remedied till the Government bestowed upon this important subject a greater degree of care than was now done. It was impossible that, in the present state of the Session, the details of this subject, or even the general principle, could receive the full attention of the House; but they would give satisfaction to the people at large, and show that they had a strong sense of their great and important duties, if they undertook, that amongst the cares of the next Session, they would attempt— not the least important part of their duties— to remove the defects of the National Education. He should not say anything more on the subject, but that he desired to recommend to the House the work of Professor Cousin. He knew that it was not a familiar idea to the people of this country, or to the Members of that House, that the Government should interfere with the education of the people; but, if attention was bestowed on that work, they would see, that without any interference with the comfort or the happiness of the people, they might produce a more important effect on their education than was now done even in a country where wages were lower than in this, and where the lower orders of the community suffered more from the higher orders than they did here. If hon. Gentlemen would read that book, they would be convinced that it was most important that the clergy should join with earnestness in promoting the success of the scheme. Far from introducing disputes and heartburnings, it would be the means of establishing cordiality among all the classes of the people. The object of the plan was to secure to every child in every parish the means of education; and the scheme, if carried into effect, would increase the confidence of the people in the clergy, who most zealously promoted the universal diffusion of the blessings of education.

Lord *Althorp* said, that the subject which the hon. Gentleman had brought under the consideration of the House was one of the greatest importance. He was sure he did not address one gentleman who did not feel anxiously desirous that the education of the people should be increased and improved in the utmost possible manner. The question was, as to the best means by which that object could be effected. The hon. and learned Member had stated, in his definition of what education was, that reading and writing, and the first elements of figures, were not education. He was inclined to agree with the hon. and learned Member in that statement. These things were the means of education, but not education itself. He was perfectly ready to concur with the general object of the hon. and learned Member, so far as it was intended to give a better education to the people generally. He believed, too, that he might agree with the hon. and learned Gentleman, that education was not as good as it might be, but he believed that it was and had been for some time improving, that it had been doing so of late years much beyond what was imagined possible twenty years ago. The difference had been caused by the public-spirited exertions of individuals; these had been perfectly successful, as was proved by the greater circulation of small publications. With respect to the plan itself, he thought it would be found difficult to force a national system of education by the Government, from the difficulty of ascertaining the number of schools required. There was a national system of education in Scotland, where it was necessary to have a school in each parish; but to say that there should be a school in every parish in England might be but an ineffectual means of giving education to the people, for some of these parishes now contained great towns for which one school would be by no means sufficient. In his opinion, they ought to consider whether they could not acquire education for the people without the immediate and direct interference of the Government. When the question was first brought under the consideration of that House by his noble friend, the present Lord Chancellor, that learned person expressed a doubt whether it was desirable for the Government to interfere, and whether, by doing so, the voluntary exertions of the people would not suffer relaxation? Since that time the number of schools had been most extensively increased, and though the voluntary exertions of individuals had not, perhaps, gone quite so far as might be wished, yet they had been very considerable. The consequence of the Government interference would, he feared, be to put an end to them. That had been the case with institutions of a charitable nature. If that should be the case here, nothing could be more fatal to the cause of education. He confessed, that he could not agree with the hon. and learned Member, though Prussia was quoted as an authority, that there should be any provision to make it penal in a father not to educate his child. He was of opinion, that they might give a father the means of educating his children, and put it in the power of a man who could not afford the expense to do so without expense; but the actually punishing a man for not having his child properly educated, would, in his mind, be going further than they ought. He feared that the proposition of the hon. and learned Member was not practicable, but, if it were, the hon. and learned Member might as well have moved at once for leave to bring in a Bill as have merely introduced this Resolution, for, if the Government was to take up the matter, they could do as well without the Resolution as with it; and indeed the Resolution would then be disadvantageous rather than beneficial, for it was not desirable to pledge the House, as to what it should do next Session. The Resolution went to pledge the Government to establish a system of national education for the people. Now, he was not sure that the Government's so undertaking would not rather do harm than good. He should think it most desirable to have the details of the plan and the proposed arrangements laid before them, before he ventured to pledge the House to any abstract resolution. Much of the policy of adopting the plan itself might depend on the manner in which that plan was to be carried into execution. For these reasons he hoped the hon. and learned Member would not press the Motion to a division. The hon. and learned Member had had the opportunity of stating his opinions, to which he (Lord Althorp) had attended most carefully; and this having been done, he hoped the House would not be called on to come to any positive resolution on the subject.

Mr. *O'Connell* hoped that the hon. and learned Member would comply with the request of the noble Lord, and not press the Resolution to a division. The House ought not to pledge itself on this subject without a previous inquiry before a Committee. This was a subject on which the interference of the Government was capable of provoking very strong feelings in a country like this. One of the best resolutions they could come to was to govern as little as they could. They might afford facilities for education, but they should do nothing more. There would be great difficulties in carrying such a measure into effect in Ireland. The hon. and learned Member had referred to Prussia. That was a regimental government, and till lately, everything there had been conducted on a regimental plan. The Corporal was the great philosopher of that state, and it was he who made the people there acquiesce in the plans of the Government. The King of Prussia was now, however, the best reformer in Europe. The hon. and learned Member had referred to the French government; but he could only have done so as he did not know what the principle of the government of France was, as those did who had had actual experience of it. He could tell the hon. and learned Member, that the object of the liberal party in France, was to unchristianise that country. It was of little importance to them whether a man was a Deist or an Atheist. They were the party who endeavoured to enforce the education plan of the Normal school. The plan of the Normal school was to prevent that sort of education which the people wished to have. The people preferred to have the assistance of the brothers of the Church in their education. If the Government was to create a Normal school here, it would give great offence to the people. He thought, that they should go no further than give countenance to religious instruction, and assist literary instruction. On that ground he protested against that House becoming a party to any such scheme, so far as having any connexion with that party in France, which, he thought, acted upon dangerous principles. He thought they should leave these details of education which the Government could not interfere with without spoiling. Facility of education should be encouraged, but all domination ought to be abolished. Nothing could be more destructive than to imitate the example of France, in respect to her system of national education.

Sir *Robert Inglis* hardly knew how to resist the general proposition of the hon. and learned member for Bath; but though he concurred with that proposition, he hardly knew how he could agree with any other portion of the hon. and learned Member's speech. He did not know how the Government could deny the general proposition, that it was the duty of a Government to provide for the people, as it was the duty of a father to provide for his children, the means of education. He knew that the present Lord Chancellor had taken the greatest possible pains, and that, too, at a most important period of his professional life, to obtain complete information on this subject. That learned person had spent three hours a-day for two years together, investigating the returns made on this subject. The digest prepared from these returns was most laborious. It was published in two volumes, in 1818. The Lord Chancellor did not need his testimony, but he gave it most willingly. On the 28th June, 1820, that hon. and learned Gentleman, admitting the importance of the clergy and the value of their efforts, said, "he felt it his duty to return his most cordial thanks to those reverend Gentlemen, without whose assistance they would not have advanced a single step towards that point of their labours at which they had arrived—he meant the whole of the clergy of the Established Church." The hon. and learned Member had referred to the two Universities, and had asked what they had done for the public money they had received? The hon. and learned Member was mistaken—they had not received any public money. The sums referred to were the gratuitous donations of the people—[Mr.

Roebuck said, he had used the expression, public property, not public money.] There was a most intelligible distinction between the two. The meaning was, to imply that the two Universities were the pensioners of the State. That was not so. The funds to support the Regius Professors were the private gift of the Sovereign, who, in return, had the honour of having the Professors designated by a title which intimated the means whence they were supported. With respect to other appropriations of property, that property had merely been given in exchange for what had been left some three or four centuries ago. He apologised for troubling the House with these observations, but he thought them necessary after what had been said on the subject. He should only add, that there was no class more interested in national education than the clergy.

Mr. *Hume* expressed deep regret at the observation which had fallen from his hon. and learned friend, the member for Dublin, respecting the mission of the persons deputed from France to inquire into the state of education in England. He would take upon himself to say, that no such object as the hon. and learned member for Dublin had stated was the object adopted in France. If the hon. and learned Member would read the 17th article of the *Projet de Loi,* he would find that it was enacted that the *maire,* the *curé,* and three inhabitants, should be the Committee for managing the schools of each village. Now, the object of these schools was to give instruction to the people, and to avoid anything like that proselytism which his hon. and learned friend alluded to; and he was therefore sorry that his hon. and learned friend should have said anything that was calculated to damp the hopes of the people. If education were necessary to the welfare and prosperity of a people—a point which he thought no man who was friendly to the real interests of the poor could contradict—was it necessary to follow up the bad practices, if any existed in France, which he disbelieved, on this subject? He was not in favour of connecting the education of the people with the clergy entirely. He knew that there had been some difficulty experienced when it was attempted to establish Lancasterian schools, in separating them from the clergy of the Church of England, so as not to place them under the direction of its pastors. He hoped that if any schools were established, they would not be placed under the domination of any Church, for he saw no reason why the State, which felt itself bound to compel its subjects to provide food for its poor, should not provide mental food and instruction for them also. It was not unusual to pledge the House to take certain measures in the ensuing Session; and he should therefore be sorry if his hon. and learned friend withdrew his Motion, for he thought that Ministers could not adduce any rational objection to it. Though the hon. and learned Gentleman might sneer at education, and might endeavour to discourage the plan of education adopted in France, he should continue to believe, that it was founded on the best principles, for the more the people were instructed, the more were the means increased of keeping the people tranquil and their institutions stable. The present vote was only preparatory, and he therefore hoped, that the noble Lord would not object to it. It pledged the House to nothing further than to the opinion, that education ought to be bestowed on the people; and he should give it his support.

Sir *Robert Peel* differed from the hon. member for Middlesex, as to the policy of the House entering into engagements with regard to what it would do in another Session. He objected also to its entering into the consideration of a mere abstract Resolution. There had been more notices for the discussion of mere abstract Resolutions this Session than he had ever recollected at any former period. Resolutions establishing abstract principles were just the very opposite to the course which the House ought to pursue. We should consider the difficulties surrounding practical questions before we entered into engagements on principles which we were not certain that we might be able to carry into execution. Few persons, he thought, would be found to deny the great advantage of extending the benefits of education among all classes of our countrymen; but it was not quite correct to assert that education in this empire was so very imperfect. He believed that almost every Gentleman who heard him endeavoured, in his own neighbourhood, to diffuse the blessings of education; but that did not appear to the hon. and learned Member to be enough, for he thought that the care of the State was also necessary. Now, that was a doubtful question; but even if it were not, a Bill should be brought in to show how it was practicable, instead of a vague resolution like the present. "But," said the hon. and learned Gentleman, "it is necessary for this House, with the smallest delay possible, to devise means for establishing a system of universal national education." Now, it would be necessary, in the first place, to decide what a national education would be in three countries which differed so much from each other, in many respects, as England, Scotland, and Ireland. The hon. and learned Member had mentioned the case of Prussia, and had said, that it was a great shame that we had not here an officer of State to superintend education. Free countries enjoyed many advantages; and so, too, did despotic countries, both in the management of their police and in their means of superintending public education. It was found, however, rather difficult to unite the advantages of both in one country. A compulsory system of education appeared to him to trench upon religious toleration; for it must, almost of necessity, interfere with religious opinion. The officer of State who had to superintend education, would have to provide books for the different schools. Now, this might be excellent in Prussia or in France, where the government was so different from our own; but if we were once to establish in this country an officer with power to superintend the education of children of all sects of religion, with power to select their books of instruction, we should excite apprehensions of general intolerance being intended by the Government, we should create jealousy in every part of the country. He did not wish to speak with disrespect of the mayors of this country, but would the French system of leaving the education of every town to its mayor do here? Any Bill which made the mayors of the different towns of England comptrollers of education within them, would create a degree of jealousy and resistance which the hon. Member would not be able to overcome. He would himself give every facility to education. He thought that the diffusion of education would produce great benefit; but, in a country like our own, which was justly proud of its freedom, he doubted whether it ought not to be left free from control. The subject was so environed with difficulties, that he objected to their making any magnificent promises respecting it, whilst they were yet in ignorance of the difficulties with which they might have to contend.

Mr. *Wilks* thought, that the House would be more able to decide this question, when the returns lately moved for by the noble Lord, the member for Calne, were laid before the House, than they could be now. He, therefore, wished the Motion withdrawn for the present, At the same time they must all feel an obligation to the hon. and learned Member for the able manner in which he had brought the subject under their notice.

Mr. *Roebuck*, in reply, admitted that no final decision ought to be made on this subject without full inquiry. He must say, that of all the observations that had been made, those which had surprised him most were those that had fallen from the hon. and learned member for Dublin; and of all unfounded attacks, that upon the French government and on M. Cousin, was the most unwarranted. To confound persons and things in this manner together, and to say,that a whole body of men wanted to put down religion, was highly unbecoming, and unworthy of the candid manner in which all persons should be treated. In the book of M. Cousin, it was distinctly said, that nothing could be effectually done for the education of the poorer classes without the aid of the clergy of the country. Did that look like a wish to put down religion? The object of the feeling thus expressed, was closely allied with that of the priesthood of Rome. That priesthood was not closely allied with the feelings of the people of France. That people had long had another Church—not the Church of Rome, but the Gallican Church—which was more particularly than that of Rome the favoured object of the French government, the French people, and of the Normal School. The hon. and learned member for Dublin should have known these things; and it would have been better had he brought forward documents than have made assertions, which were often hazarded and often retracted. He would, with the consent of the House, withdraw the Motion.

Motion withdrawn.

Reductions.] Mr. Charles Buller was rising to bring forward his Motion on this subject, when

Mr. *Stanley* thought, that the hon. Gentleman had expressed his acquiescence in the observations of the right hon. member for Tamworth as to the inexpediency of bringing before the House abstract propositions. No one could dispute the general proposition that it was desirable that all reductions should be made which were practicable; but this proposition contained an abstract principle; and if anything was necessary now, it was something more than a declaration of the necessity of making every practicable reduction.

Mr. *Charles Buller* contended there was nothing abstract in his proposition. It pledged the Ministers to make such arrangements previous to the next Session of Parliament as might be necessary to diminish the burthens of the country. He would, however, abandon his Motion if the noble Lord would allow him to place it on the Journals, and would promise to do something in consequence of it. Was the noble Lord ready to acquiesce in that proposition?

Lord *Althorp*: If the hon. Member meant to say, that the House was to pledge itself to make every practicable reduction,—surely the hon. Gentleman did not mean to say, that the House was to make impracticable reductions? If the hon. Member merely wished the House to express the opinion, that it was desirable for the House to make reductions, no one could dissent from that proposition, because it was a truism; but the hon. Member's Motion implied more than this, for it pledged the House to arrangements previous to the next Session of Parliament.

Mr. *Charles Buller* was desirous that Ministers should pledge themselves to something specific — to declare, that it was possible to make extensive reductions, and to promise to effect them. He was sorry to press the subject forward in so thin a House, and when some were in the act of retiring from it, but without any intended discourtesy he felt bound to proceed. There was no subject in which the people took greater interest than in the diminution of burthens by lessening expenditure, and it was the duty of the House to ascertain, in the first instance, whether it was not possible to make considerable reductions. Matters of figures could never be made interesting, but fortunately for him it was not necessary to enter into any wearisome details. He did not mean to charge any particular departments with extravagance—nor to touch a single sinecure; he was in favour of a larger economy, which must be accomplished by a diminution of the public establishments, without the slightest danger to the public safety. He did not ground his proposition on prevailing distress, for he did not believe that it existed to any material extent; but there was no doubt, if the people were not oppressed, they were greatly injured by taxation. He supposed it would be admitted, that taxation was in itself an evil. Time was, when a proposition had been made by the right hon. member for Manchester (Mr. Poulett Thomson) for a reduction of sixteen or seventeen millions of taxes; but although Ministers had now forgotten their opposition dreams, it was the duty of the House to decide whether some greater degree of economy than was at present practised was not only expedient but necessary. The Reform of Parliament had been brought about for the purpose of lessening taxation, and the people had not put all their great energies in motion for the purpose merely of reducing a million in the imposts upon tiles, soap, and articles of that description. It would be most dangerous to make the people believe, that the late reform had done no good because not sufficiently extensive, and it was already a serious evil, that the House had lost, in a great degree, the confidence of the country. He was aware that he ought not to breathe a syllable in favour of a violation of the public faith, either by a fraudulent alteration of the currency, or by what had been miscalled an equitable adjustment: and it would be unfair and uncandid not to admit that Ministers had done much towards reduction since they came into office. They had abolished three millions of taxes, and relieved the country from two millions of expenditure, and all departments of the public service were carried on with increased economy. They had also rid the country of many placemen and sinecurists, and all he complained of was, that they had not done enough. They were bound to do more in accordance with the wishes of the people, and their own declarations. Without being the apologist of sinecures, he might say, that the evil was not so much the amount, as the mode, and if the aristocracy must be supported from the hard earnings of the people, sinecures were much cheaper than jobs. As to the reduction of the establishments, everybody knew, that one ship or one regiment could not do as much as two ships and two regiments; but the question was, whether one ship and one regiment could not do all that was at this time required? He knew that there was always opposition made by the heads of each department to any abolition of expense in his department. Turgot had long ago stated that opinion. The hon. Member read an extract from Turgot's letter to the King, saying, that every officer maintained the necessity of keeping up the expenditure with which he was intrusted. It had often been said, when Ministers were called upon to aid a generous people struggling against an odious tyranny, that the nation could not afford to go to war; true, but it might just as well go to war as keep war establishments. In the whole expenditure of the year there were 29,000,000*l.*, the disbursement of which Parliament could not control; but it could interfere to save a very large sum out of the remaining 21,000,000*l.* He would not go through the items, but he might notice one which greatly exceeded the necessary sum—viz., the Lord Lieutenancy of Ireland, which cost the country 100,000*l.* a-year. There was also a number of judicial sinecures and jobs which ought to be abolished; and, he believed, the country looked upon the diplomatic expenditure as a job from beginning to end, meant to provide the aristocracy with comfortable situations and comfortable incomes. At the same time, he allowed that the Ambassadors and higher officers spent more than they received, while the chief gainers were those in lower departments. He would touch briefly upon the three great heads of charge—the army, navy, and ordnance. The cost of the army, deducting the dead weight and the non-effective force, was about 9,000,000*l.*; and it was well worth remark, that although the calculation had been that the dead weight would be reduced at the rate of about 100,000*l.* a-year, such had been the mismanagement of the fund thus applied, that it had been actually increased since the peace. As to the effective force of the army, he admitted, that the estimates had been smaller than usual last year, but they ought to be still considerably lower. Nevertheless, he gave Ministers credit for what they had done, although, on the abstract principle, the army ought to be less in number now than even in 1792. Our possessions abroad were certainly more extended; but they ought, in all but a very few cases, to pay their own expenses, and maintain their own army. The great measure of justice recently given to Ireland, would render fewer troops necessary there; besides, Ministers having won the hearts of the people of England, could not be in need of a standing army to keep the King's subjects in subordination. The abolition of slavery also would enable them to reduce the force now employed in the West-Indies. He did not wish to reduce this establishment to the standard of 1792; but, in 1823, the noble Lord (Lord Althorp), then in Opposition, had contended, that 68,000 men could not be required. On another occasion the noble Lord adargued, that misgovernment alone rendered 29,000 men necessary for Ireland. Did the noble Lord still mean to contend, that, at this moment, the same misgovernment required that 25,000 men should be kept there? The same views had been supported by the present Secretary-at-War, while the late Secretary-at-War had gone so far in 1823 as to assert that the whole of the army at home ought to be disbanded. The hon. Member went into some further particulars upon this point, and afterwards proceeded to the naval department, contending, in the first place, that Lord Castlereagh was the most economical Minister this country had known since the time of Mr. Pitt. The navy was a favourite service, and he did not wish to see it reduced too low; all he would say upon it, therefore, was, that he was anxious to see it placed upon the same footing as during the Administration of Lord Castlereagh. The account of the ordnance stood thus:—In 1823, the estimates were 1,007,000*l.*; in 1828, 1,914,000*l.*; in 1832, 1,793,000*l.* So that the cost of this department at this moment was more than in 1823 by no less than 786,000*l.* The hon. Member contended, that it was expedient that the number of the household troops should be reduced, and that the colonial expenditure should be diminished. This was a vast source of profusion on the part of Government; and unless that were reduced, little would be done towards assailing the root of unnecessary expenditure. The question was this—was the country bound to defend colonies that could not defend themselves? If they cost the country (with few exceptions, such as Malta and Gibraltar) a large sum of money annually, were they worth preserving? Adam Smith had justly compared the colonies of a country to the expensive equipage of a private family. Ministers could not, he was aware, make the necessary reductions instanter — to attempt that would be preposterous and impracticable. All he wished was, that the House should give the country an assurance that such reductions were in contemplation. He hoped, that they would be obtained from Ministers freely, and without extortion, and in redemption of the pledges they had repeatedly given. He had not brought forward the Motion in hostility to them, and it was not to be viewed as a censure upon, or a suspicion of them. If their intentions were honest, they would themselves support it; if they opposed it, he should not be sorry to see them defeated by the House, and the Motion carried in their despite. He was chiefly anxious that the Resolution with which he should conclude should be carried, for the sake of the House, as it would tend so importantly to restore to it the confidence of the people. It had encouraged hopes of great retrenchments; those hopes had been disappointed; and, as the sole power of the House depended upon its popularity, he was naturally very desirous that it should retain it. Nothing could be more dangerous than to disappoint the public expectations, or to tell the people that, however solemnly it had been promised, they were not to expect relief. The hon. Member moved—"That it is the opinion of this House, that, in order to satisfy the just expectations of the people, it is necessary that such extensive reductions be made in the public expenditure as shall effectually diminish the burthens of the country; and that it is the duty of his Majesty's Ministers to make such arrangements previous to the next Session of Parliament, respecting the effective and non-effective services of the military, naval, civil, and colonial establishments, as may be necessary for the attainment of this object."

Mr. *Buckingham* said, that great expectations of economy were indulged by the nation at the time when his Majesty's Government came into power; and though large allowances were made for the peculiar circumstances in which they then stood, yet certainly the public had a right to expect that something considerable would be done towards relieving the burthens of the people. He regretted to say, that the just expectations of the people had been most grievously disappointed. The people of England had of late years become too intelligent, and too well informed, not to know, that if ever men by their speeches, and by their express declarations on going into the Cabinet, stood pledged to economy, those men were the present advisers of the Crown. The people in the present day not only read the debates of the present moment, but, with the view of ascertaining what had been the declarations of public men in times past, they referred to the debates of former Sessions. Much had been said of the necessity of rendering our establishments efficient; for his part, he thought our army was already too efficient, much more so than the necessities of the country required. Of late years, nations had agreed to interchange their commodities much more extensively than in former times, and hence they became more dependent upon each other. For these and other reasons, he deprecated the continuance of so large a military force as this country had hitherto maintained. The expenses of foreign embassies were also enormous; the times had passed away when the bulk of mankind were to be imposed upon by the pomp of oriental splendor; and in Europe at least, the practice of sending magnificent retinues with Ambassadors ought to be discontinued. One intelligent and able functionary, with, perhaps, the assistance of a competent secretary, would be quite sufficient for all the purposes of modern embassies. The fact was, that the expenses of embassies amounted to ten times as much as they ought. On all these grounds, he thought some distinct pledge ought to be given on the part of his Majesty's Government before the present Session came to a close, that would inspire confidence, and afford to the people a well founded hope that their reasonable expectations on the subject of reduction of taxation would be realised.

Lord *Althorp* admitted, that the subject was of great importance; but he confessed he could not discover what possible advantage was expected from bringing such a Motion as the present under the consideration of the House, other than making it the vehicle for conveying to the public a speech which might be expected to make an impression out of doors; as to its serving any other purpose, he professed himself unable to discover any. An endeavour had been made to cast blame upon his Majesty's Government, and the Record of Parliamentary Debates had been searched for the purpose of establishing the inconsistencies of the present advisers of the Crown. He trusted, that the House would dispense with his proceeding into a detailed vindication of their conduct up to the present time. As to the Motion itself, he could not but regard it as a Motion of censure—if it were not to be looked upon in that light, it could not be considered of any use whatsoever; and if the House thought that Government had not done all that it could to accomplish the wishes of the people, they would agree to the Motion, but not otherwise. If the Government had not redeemed the pledges which they had offered to the nation on accepting office, then he should say they deserved censure; but they had most fully redeemed those pledges. During the whole course of their career in office, they had taken economy for their leading principle; true, they might not have realised all the expectations of the people, but they were warranted in saying, that they had realised all just and reasonable expectations that intelligent and unprejudiced persons could entertain; they had reduced three millions of taxes; and they had made not only that reduction in the amount of the money payable to the Treasury, but they had, at the same time, greatly reduced the patronage of the Crown. That they could now safely do; for, as he had often before said, the country could no longer be governed by patronage. The reduction, then, of taxation, and the relinquishment of patronage, were the principles upon which they had proceeded; and he would affirm that they had, in the pursuit of those principles, gone the utmost length that they could go, without exceeding the line of their duty. The hon. Member who spoke last had talked of reducing the army. Could that be done, he asked, in the colonies, at the moment when they were about to abolish slavery? Surely, when in the course of trying such an experiment as that of abolishing colonial slavery, the Motion of the hon. member for Liskeard was one which, if adopted by the House, would be liable to much misconstruction; and he, therefore, should propose another Resolution in its stead, or as an Amendment. It might not, perhaps, be very useful to adopt that which he should propose; but it would be perfectly harmless; its adoption would save the House from the necessity of negativing the Motion of the hon. Member, and it would likewise have the effect of admitting that which he was at all times perfectly ready to admit—namely, that some reduction was required. The noble Lord concluded by moving—"That while this House acknowledges, with satisfaction, that, by the reduction of the public expenditure, and by the financial arrangements carried into effect, there has been a reduction of taxation in the last and the present Session to an amount exceeding 3,000,000*l.* annually, they feel it their duty to affirm the determination to which they have already come, to adhere to the just principles of a wise economy, and to apply those principles to all departments of the State, paying a due regard to the national engagements, and to the interests of the public service."

Mr. *Fryer* gave credit to Ministers for their good intentions; but good intentions alone would not do; they must have acts. He was afraid, however, that they were kept down by the fear of the oligarchy of the landlords. If they meant to relieve the country they must establish a Property-tax, not an Income-tax, for to that the public would never consent; but to a Property-tax they must come at last. He did not want to turn Ministers out, but out they must go if they did not reduce the expenditure: and who was to come in in their places? Was it the Tories? He did not want the Tories; but they must come in if the present Ministers could not stay in. The Duke of Wellington must come in with his *quantum suff.* of steel and cold lead, which the people did not want. If, however, the Duke should come in, there was no doubt that one of his first acts would be the repeal of the House and Window-tax, and probably have a Property-tax in their stead, to the discomfiture of the landed oligarchy. There was no doubt that he would come down on that occasion as he had on those of the Test Acts and the Catholic question. He would repeat it, that the Duke would come in, and must, if Ministers did not change their plan; and when they were out of office, and sitting on that (the Opposition) side of the House, they would learn to do better. What was a Reformed Parliament for, if it did not relieve the people from the pressure of taxation? All that he meant, was to urge the Ministers to do that which he was sure they were well inclined to do if they were not afraid of the landed oligarchy.

Amendment was agreed to, without a division.

Case of Narroba.] Mr. *Henry Lytton Bulwer* rose to move that an humble Address be presented to his Majesty, praying that he would be graciously pleased to cause the claim of Narroba Govind Outia to be judicially re-considered before the Deccan Prize Money be distributed. The individual on whose behalf he made the Motion was a man who had no friends or connexions in this country, and he (Mr. Bulwer), therefore, appealed to the justice and the generosity of the House to give the case a fair and a patient hearing. During the war, which terminated in the subjugation of the Deccan country, the inhabitants of one of the places which surrendered were allowed to go forth upon conditions expressly stated in the terms of the capitulation, one of which was, that the individual mentioned in the Motion, should, with others, be permitted to remove with his property, and if he went into any place in the possession of the British, he should enjoy the protection of British authority, and the benefits of British law. He did go to a town in the possession of the British forces, but so far from the compact made with him being observed, he was cast into prison, put in irons, robbed of all his property, and died in the extremest misery and want. Previous, however, to his sufferings thus being terminated by death, he had offered to refer his claim to a servant of the East-India Company. The decision of that functionary was in his favour, yet he got no relief. After his death, his heirs had no remedy but to bring the matter under the consideration of the Supreme Court at Bombay. It was then said, that the Supreme Court had not the power of adjudicating in this matter, because the Poonah country was in a state between peace and war. The Supreme Court, however, allowed that the property was that of these individuals, but that what they had to do was to appeal to another Court — to the Privy Council. They did so, and the Privy Council said they would hear the case, but the evidence should be confined to that which had been laid before the Court of Bombay. These individuals being limited to that evidence, could not well prove upon it their right to the property, nor show how it had been taken away from them. In fact, they were placed in the same position with ordinary individuals, the title deeds of whose property had been taken from them. With respect to the decision of the Privy Council, what did the hon. and learned Gentleman opposite (the Attorney General) then say? The hon. and learned Gentleman said, that the question was of a most mysterious description, and that, he thought, the way it had been decided was unsatisfactory, and he said, that had it not been involved in mysterious circumstances, which had taken place so long a time ago, he would advise that the case should be again gone into. These were the only objections the hon. and learned Gentleman had to having the case re-considered. He thought, that unless the hon. and learned Gentleman could satisfy the House that the case had been properly tried, the House ought in justice to consent to the present Motion, and thereby give that individual an opportunity of making out by evidence the justice of his claims. The hon. Gentleman concluded by moving for "an humble Address to his Majesty, that he will be graciously pleased to cause the claim of Narroba Govind Outia to be judicially considered before the Deccan Prize Money be distributed."

Mr. *Halcomb* seconded the Motion, and said, that he had been requested to do so by parties whom, after a careful examination of documents, he believed entitled to the fullest confidence, and whose claims he considered as strongly deserving of attention, and of having justice done to them, as any that he ever recollected having been brought before that House. The hon. and learned Gentleman was proceeding to read a pamphlet, containing a statement of the claims of the parties, when,

Mr. James moved, that the House be counted.

The House counted out.

HOUSE OF COMMONS,

Wednesday, July 31, 1833.

Minutes.] Papers ordered. On the Motion of Mr. Spring Rice, a List of Offices enjoyed by all Persons, between 5th January, 1829, and 5th January, 1830, the total of which exceeds 1,000*l.*, which have been since Abolished or Reduced.—On the Motion of Mr. Wilks, the Number of Friendly Societies filed by the Clerks of the Peace in each County in Great Britain and Ireland, since Michaelmas 1832.—On the Motion of Lord Granville Somerset, a Copy of any Minute or Minutes of the Treasury, or other Document by which the Consolidation of the Board of Taxes and Stamps was effected, and any Correspondence which may have passed between the Commissioners of the late Boards of Taxes and Stamps, and the Treasury, on the subject of their Consolidation, and the Retirement of any of their Members.

Bills. Read a second time:—Uniformity of Process; Bankruptcy Judges.

Petitions presented. By Colonel GORE LANGTON, from the Protestant Dissenters of Frome, Selwood, for Exemption from Church Rates.—By Mr. GORE, from Devizes, for Substituting a Solemn Affirmation for an Oath in all Cases.—By Mr. FRENCH, from Kilnamana, to be Exempted from the Payment of Church Cess according to a Clause in the Irish Church Bill.—By Mr. BANNERMAN, from Aberdeen, in favour of the Factories' Regulation Bill.—By Sir RUFANE DONKIN, from Berwick-upon-Tweed, against the Expense incurred by guarding against and punishing Smugglers.—By Captain DUNDAS, from the Medical Practitioners of Renfrew, in favour of the Apothecaries Bill.—By Lord DALMENY and Captain DUNDAS, from several Places, against the Bankrupts (Scotland) Bill.—By Mr. ROOPER and Mr. PEASE, from several Places, —against the Slavery Abolition Bill.—By Mr. PEASE, from the Synod of Merse and Teviotdale, against the New System of Education (Ireland).

THE THELLUSSON PROPERTY.] Sir *James Scarlett* then moved the second reading of the Thellusson Estate Bill. The hon. and learned Member said, this Bill proposed to make certain regulations for the distribution of the property of the testator, who made a will dated 1797, devising his property to certain trustees, who were to purchase landed estates out of the income, which was to accumulate after defraying certain expenses. The testator left three sons, one the late Lord Rendlesham; and since the period of his decease, the family were reduced to poverty, whilst the immense property left by the testator was supposed to be accumulating; but out of the immense revenue the surplus of savings did not amount to 25,000*l.*, although, if the sum of 5,000*l.* only had been set apart when the accumulation first took place, it would amount, at the present day, to upwards of 200,000*l.* Such was the feeling entertained on account of the extraordinary will of Mr. Thellusson, that a Bill was passed preventing any man's property being allowed to accumulate after his decease for a longer period than twenty-one years. The Thellusson property, however, did not realize the expectation of the testator. The present Bill was brought forward in the other House by Lord Lyndhurst, and was passed after every possible attention had been paid to it. The only executor whose opinion was of much importance fully concurred in the Bill.

The *Solicitor General* seconded the Motion. He entirely concurred in all that had been said by his learned friend (Sir James Scarlett). He could not see on what grounds the Bill could be objected to. The present generation of Mr. Thellusson's descendants would not suffer by it. The next generation would be materially benefited; the public would not suffer; for, if it should happen that by the failure of the family the public should become entitled to the property, with the amount thus provided for by the testator, the property so accumulated would be available for public objects. Nobody, then, would suffer but the members of the legal profession. And he thought it was no great credit to that profession to which he had the honour to belong, that this estate had been so sweated in the Court.

Mr. *Harvey* rose, not to oppose the Bill, but to make some comments upon it in connexion with that sweating of the Courts of Law which had been alluded to by the hon. and learned Gentleman. It appeared that this estate produced an income of about 25,000*l.* a-year, 16,000*l.* of which went into the Court of Chancery, and the remaining amount of 9,000*l.* fell into the hands of parties, so peculiarly eulogised by the hon. and learned Member. If by this Bill the estate was to be reserved from the fangs of the law, he would ask whether that was the only estate under the sweating operation of the Court of Chancery? Or was it that there was little sympathy for small properties? It was only when great men's properties were involved, that the evils of the Court of Chancery were discovered. He thought the principle was in all cases the same—that the smaller as well as the larger sums—the humble as well as the noble among men—had equal claims to legislative consideration—had equal claims to be relieved from this sweating system. It would have been better if this estate had been made an illustration of the general hardship, and a measure of comprehensive extent, had been introduced, instead of treating it as an exception to a general rule, and providing for it by a special remedy. Time enough had been afforded for this; for, from the death of the testator of this extraordinary will up to the present day, motions "in the matter of Thellusson" came on as regularly, term after term, as if the case were part and parcel of the Court of Chancery. The mere mention of the name was sure to produce the bobbing up of twenty learned wigs, who were engaged, *pro* or *con* in this endless case. It was singular, then, that the estate had not been snatched before this from the hands of the sweating lawyers, as the Solicitor General had baptised them. The law might be said to cling to this estate, as the hungry sloth clings to a luxuriant tree, and after battening upon it until scarcely a leaf was left, had fallen upon the grass in a bloated state of repletion, there to lie for a short period until its huge mass of food was digested, and then to look about for another Thellusson tree, upon which to make a similar gluttonous repast. He trusted that the Reformed House of Commons would direct its attention to the administration of the laws of this country, for of all the matters to which its attention could be directed, the state of the Court of Chancery was most deserving of Reform. It had been said that the public would not be benefited by this property. Now, speaking as one of the guardians of the public purse, he would just point out how the public might be benefitted. How did the public interest stand? There were two families of great grand-children of the Thellusson family, in number ten or twelve, therefore it was to be conceded that the chance was very remote of any ultimate benefit accruing to the public; but, in the event of the family being swept away by death, this estate, now amounting to 25,000*l.* a-year, but the accumulation of which would make it considerably more, would then become public property. There was some danger that the House might be called upon in other testamentary cases, and acquire a vast increase of business by assuming the functions of a universal testator. If any thing of that kind were to result, he should deprecate this measure as a bad precedent. His object, however, was chiefly to call attention to the state of the Court of Chancery. If other cases were gone into, it would be found that the same system of devastation was carried on. He knew a case in which the expense of obtaining the just demand of 200*l.* was 180*l.*; and he knew of a case still going on in which a sum of 200*l.* was to be scrambled for, and five claims were put in, viz., by three parishes, by Christ's Hospital, and by the Grocers' Company; there were ten sweating Counsel, and five equally sweating attorneys employed to get this 200*l.* distributed. Such matters might, he ventured to assert, be settled for 5*l.*, and in five minutes, if a tribunal were appointed to inquire into charitable benefactions. He did not intend to oppose the Bill, because he thought the justice of the particular case might, as had been said, call for it.

Mr. *O'Connell* concurred in the propriety of the present Bill, because it would not mar the will of the testator, but carry it more completely into effect. It could never have been the intention of the testator, that such an immense quantity of his property should be squandered in lawsuits; if it were, he must have been little better than insane. His learned friend had talked of establishing a precedent in the present case. There was no danger of the kind except in his own imagination. The Bill was not a Bill, as he had said, to interfere with the testator's will in any way, not even to change or amend it, but to carry it more completely into effect. And the only precedent which would be established would be the valuable one by which the making of such wills would be prevented in future. When it was urged by his hon. friend, the member for Colchester, that every one who disputed a will could, by the passing of the present Bill, be brought to the bar of that House, he confessed he could not see the reasonableness of the assertion. However, any measure which would have for its effect the lessening or abrogating the enormous expenses of the Court of Chancery, should, even though it were otherwise defective, have his most hearty approval. The Court of Chancery, to settle disputed claims of property, was like setting up a steam-engine to crush a fly. Though he would advocate willingly any remedial measure, yet he firmly believed that there was no effectual provision against its operations, but the establishment of cheap Courts of Justice in every part of the country, within reach of every man's door. Until Local Courts were established, and the heavy machinery of the Court of Chancery got rid of, the English people would scarce be entitled to that character for common sense on which they so justly prided themselves, and which they had otherwise so well earned. He trusted that there would be no patching up of the present system; but that early in the next Session a measure would be introduced, which would have the effect of superseding those Courts which dealt justice out by instalments, and of establishing Courts of Justice to sit constantly within the reach of every man in the community.

Mr. *William Brougham*, in answer to the statements of the hon. member for Colchester, and in justification of the Court of Chancery proceedings, said, that the annual costs did not, as stated by the hon. Member, amount to 9,000*l.*, but 3,000*l.* only.

Sir *Robert Peel* would not, if this were an ordinary case, have supported the Bill, as it interfered with the jurisdiction of the existing Courts of Justice; but as it was an extraordinary case, he had no hesitation in giving the Bill his support. When he saw such an extraordinary, such an unnatural, he would almost say such an insane exercise of testatory power he could never consent to allow the dread of establishing any precedent to interfere with his sense of direct duty. The power in this case was so capriciously exercised, so contrary to sound sense, sound policy, and the common laws of humanity, that he could never think of opposing any measure which would have the effect of preventing some of the evil consequences. If the preamble of the Bill—"Whereas great legal expenses have been gone to in the management of the estate, &c.," was true, the subject required a deeper consideration than that given to it by the present measure. If it were true that the total amount paid in law costs and management expenses from the period of the testator's demise until the present time was, as stated in the schedule of that preamble, 178,827*l.*, all for one estate, it was a heavy reflection on the law. If the House passed the present Bill, which should have his humble support, he would say that it was also bound to institute an investigation for the purpose of reforming the system under which such abuses prevailed.

Mr. *Michael Angelo Taylor*, having had long experience of the proceedings of the Court of Chancery, and having for many years exerted himself to reform the abuses of that Court, although not attended with that success which he could desire, felt gratified to perceive that the present Bill met with the concurrence of hon. Members who heretofore differed in opinion from him. The abuses of the Court of Chancery were monstrous; for, in place of being a protection to infants, it absolutely went to rob them of their just rights. He (Mr. Taylor) would venture to say from his own knowledge, that the Court of Chancery was the means of destroying any property that might be placed in that Court. He would, amongst many instances, state one in his own practice. A solicitor called on him with the copy of a Bill filed in the Court of Chancery, in which there were five defendants, and asked him to draw an answer by the next day, which he accordingly did. When the solicitor called and found only one answer drawn, which included the answer of the five defendants (the Bill, in point of fact, requiring only one answer) he was much surprised, and said there should be five separate answers, and that the defendants insisted that they should put in each a distinct and separate answer. He (Mr. Taylor) thought that quite unnecessary, and refused to draw the answers. The solicitor accordingly took his papers away, and subsequently five distinct answers were put in. In fact, if five children were left a legacy of five thousand pounds, such were the abuses of that Court, that he would boldly venture to assert, if their property got into litigation, they would not eventually receive two thousand five hundred pounds. He cordially supported the Bill.

Sir *Robert Inglis* thought that, as the law allowed that the testator at the time of making his will was sane, it was not right or just, after a lapse of thirty-six years, to bring in a measure like the one proposed. According to the estimate of the celebrated actuary, Mr. Morgan, the accumulations would have been very considerable—say, up to 1825, nearly 3,700,000*l.*; but the annual expenses, and other outlays indispensable for the management of this large property, were not taken into account. The House of Lords, he considered, had no right to originate a Bill like the present, depriving not only the heirs of the testator of their chances in the event of deaths in the direct line, but other parties who had an interest in the event of failure of issue. He would call upon the House to consider that they were sitting as Judges on this Bill, as was the case in all private Bills, and not to adopt measures so contrary to the usages of Parliament. It would have been much better that the present Bill had been brought in three months sooner, when it could have been attentively examined in its various stages.

Mr. *William Tooke* said, that the single point the House had to decide upon was, whether they should revoke the will of the testator, and give an advantage to those persons whom he was desirous of excluding from it. On all occasions of the purchase of estates, the convenience of the family had been consulted; they had uniformly been the directors of all the proceedings under it; and though the aggregate amount of costs was very considerable, yet it was to be remembered that this suit had spread over a period of thirty-six years, and that a great part of this expenditure had been distributed amongst the persons most interested. The House might reform the Courts as much as they pleased; but, as long as the Court remained constituted as it was, and as long as those faults remained, it did appear to him unjust to be constantly referring to abuses which they took no pains themselves to remedy.

Dr. *Lushington* did not think it was the duty of this House, agreeably to its usual form of proceeding, to take cognizance of what the House of Lords might have done in the exercise of its own discretion. With respect to the Bill itself, he should state honestly what his feeling upon it was. If he could agree with his hon. friend, the member for Truro, that this was a Bill to revoke a will made by a testator, he should have great doubts as to whether the House could entertain any such subject. But the measure now proposed was, a Bill to execute the will of the testator to the utmost extent, which the power and assistance of the Court of Chancery had hitherto been unable to execute. There was no deviation from the intention of the testator—there was no attempt to destroy or overturn those objects he intended to execute. This Bill was only for the purpose of taking the money out of Chancery, and giving it to those who were entitled to it, and for that reason he would support the Bill.

Bill read a second time.

Poor Laws (Ireland).] Captain *Dundas* presented a Petition from Greenwich, praying for the institution of Poor Laws in Ireland. He supported the petition; and he believed that nothing but Poor-laws could effectually put down agitation and starvation. He had reason to know, that the greater part of the respectable landed proprietors connected with Ireland were favourable to the introduction of Poor-laws.

Mr. *O'Connell* said, that the petitioners from Greenwich—for he had looked into their petition—did not rest their demand for Irish Poor-laws upon the argument which the hon. and gallant Gentleman had stated. They called for Poor-laws for the Irish, because the parish of Greenwich would be benefited thereby. He differed from the hon. and gallant Member, and was convinced, that nothing could more effectually add to the agitation of Ireland than Poor-laws, which would create the greatest animosities between the peasantry and the few gentry who yet resided on their estates. He looked upon the Poor-laws in this country as a cause of starvation, and of all uncharitableness. The people of Greenwich were, no doubt, very respectable; and if they would send back the Irish gentry who resided in this country, they would not find themselves troubled longer by the poverty of the Irish labourers.

Mr. *Spring Rice*, from his acquaintance with the circumstances of Ireland, was able to assure the hon. and gallant Gentleman (Captain Dundas), that, instead of putting an end to agitation, the Poor-laws would have the contrary effect. The hon. and gallant Officer had also said, that a majority of landed proprietors connected with Ireland were favourable to Poor-laws for that country. On the contrary, it was well known that they were not so; and the reason assigned for their opposition to Poor-laws was, that the burthen would fall upon themselves. Now, for his part, he would not oppose any burthen upon his estate, to any extent, if it would improve the condition of the Irish peasantry. But though he differed from the hon. and learned member for Dublin upon most subjects, he agreed with him on this, and believed, that Poor-laws would be productive of the most injurious consequences in Ireland; and he believed that the reasons which led him to this opinion, and which, on the proper occasion, he was ready to urge, were those which influenced the greater number of gentlemen connected with Ireland.

Mr. *Finn* said, that a great portion of the rental of Ireland came over to this country, and all that Ireland received in return was, the importation of five Englishmen as Bishops and two as Archbishops, who received there amongst them about 50,000*l.*; besides a host of excisemen and other placemen. He concurred with the right hon. member for Cambridge as to the effects of Poor-laws, and he would never consent to their introduction into Ireland. But he would gladly agree to a tax of a shilling or sixpence in the pound upon the rental, for the employment of the labouring poor in public works.

Mr. *O'Reilly* could not conceive how any man's heart could allow him to refuse to make some provision for the poor in Ireland, whatever might be his objections to the English system. He thought it was the duty of the gentlemen of Ireland, not to wait to see the result of experiments for the amendment of the English Poor-laws, but to take the matter into their own hands, and to devise a plan for their own poor. Whatever their excuse might be for not adopting the English Poor-law system, there could be no excuse for increasing the number of Irish poor. The consolidation of farms in a poor country, without capital, and with an absentee proprietary, had caused the greatest misery, and added largely to the number of the unemployed and destitute. In the discussion of the West-India Bill, he had heard a good deal about the attachment of the negroes to their huts, and of the great advantage they derived from their provision-ground; and when he heard this, he felt some regret that there had been so little sympathy for the Irish labourer, when the House passed a Bill to expel them from their cabins and potato-gardens. He could not conceive how a domestic Parliament, in a country with an absentee, and in a great measure an English, proprietary, could cure all grievances.

Mr. *Ruthven* said, there was a growing feeling in favour of Poor-laws amongst the Irish landlords. He agreed with the hon. Member (Mr. O'Reilly) as to the consequences of the consolidation of farms; and he believed that nothing but the Law of Settlement could protect the people from the tyranny of the landlords, who turned them out of their small farms.

Mr. *Clay* would say only a few words in support of the petition. He would imitate the brevity of his hon. and gallant friend, although he could not hope to be so successful in his brevity; as he (Captain Dundas) had, in so few words, produced two unanswerable arguments. The petitioners stated, that in their parishes the wages of labour were depressed, and the Poor-rates increased, in consequence of the great number of Irish labourers, who displaced the native labourer; and of Irish poor, who became chargeable on the rates. Irish gentlemen were said to reside in this country in great numbers; but, unfortunately, it was not in the same parishes with the Irish poor. He should have no objection to their going back to Ireland if they took the poor with them; or the evils occasioned by the numbers of poor Irish in the parishes complained of might be alleviated by a better distribution of Irish gentlemen from the west end of the town to the parishes of Poplar, Shadwell, Greenwich, &c. The hon. and learned Member had said, that the Poor-laws caused starvation; but he believed that the Irish peasantry would call the starvation they caused abundance.

Mr. *Shaw*, believing that the Poor-laws would not relieve the distresses of Ireland, could not conscientiously support the petition. If he believed it would create profitable employment for the poor, he would support it; but he believed that its only effect would be, to deprive the industrious of that labour which was their only support, and, without satisfactorily relieving any, it would pauperize all. He certainly admitted, that it was a great hardship on English parishes to support the Irish poor; no doubt that matter required amendment. But when it was wished to introduce into Ireland a system of Poor-laws avowedly bad and insufficient in England, he could not at all agree as to the propriety or efficacy of the remedy proposed. If England adopted a good system, he should support its application to Ireland; but he should never support the application of one which as a remedy was much worse than the disease. He was decidedly of opinion, that a complete reform of the present system of Poor-laws in England was imperatively required. When that was done, he should urge no objection to having Ireland put on the same footing as England; but not till then. It was too much, that England, because she had a bad system of Poor-laws, should force it upon Ireland, by way of putting her upon the same footing.

Petition to lie on the Table.

MIDDLESEX MAGISTRATES.] Colonel *Evans:* What is the intention of his Majesty's Government with respect to the conduct of the Middlesex Magistrates on a recent occasion?

The *Solicitor-General* was not aware that any improper motives had been imputed to the Magistrates. There certainly had been some blunders; but he did not know that they were of a nature which required punishment.

Mr. *Rotch* asked, if he was never to be allowed an opportunity to vindicate himself and his brother Magistrates from the charges which, night after night, were sent forth to the public against them? The Magistrates of the county were accused, not only of having acted erroneously, which he dared say they had done, but of having set up their opinion in opposition to that of the Judges. Now, if the House would permit him, he would make a plain statement of facts, which would show that the Magistrates had never done so; but that, although they were most anxious to act in unison with the feelings of the Judges, they had never yet received any instructions upon which they could proceed. It was hard that they should have been made the sport of the House and of the newspapers for such a length of time, and never have had an opportunity of explaining their conduct. He certainly was not prepared to deny, that it was the custom, and had been so for a period far beyond the memory of man, for the Grand Jury to go on with the business while there were no Magistrates at Clerkenwell—and that might have arisen from the consideration, that it was useless for four Magistrates to sit in one room for a whole day with not a soul before them, while the Crier was swearing witnesses to go before the Grand Jury in another room. It should be recollected that Middlesex was different from other counties, for here the business of the session was a perfect labour. There were as many prisoners tried at one session in Middlesex (twelve of which occurred in the year) as in the whole year in other counties. He had been surprised to see in the newspapers a statement, said to have been made by the Solicitor-General, that Mr. Const, the late Chairman, felt it exceedingly hard that the practice should be supposed to have prevailed in his time. Now he himself, shortly after his connexion with the Magistracy, had presented a report to Mr. Const, as Chairman, complaining of that very practice. This fact must rescue the present Magistrates from the imputation, that the custom had been introduced through their negligence. It was notorious that the Crier of the Court was too old to do anything rightly. He was not able to give satisfactory evidence upon any subject, and yet he was the person who reported the circumstances to the Judges; and he had no doubt he had reported strange things. This person came to him (Mr. Rotch) of his own motion, with a new precept for holding a new session; observing, that from what the Judges had said, he thought it was their wish that a new session should be held. He declined to hold a new session until he had some more direct authority for such a proceeding; and this had been magnified into his refusing to hold a new session, contrary to the opinion of the Judges. It was a mistake to say, that the Clerk of the Arraigns had told him that the Judges wished for a new precept. All that he had said was, that it had been talked of, and that everything depended upon the adjournment of the Court; that, if the Court had been regularly adjourned, there could be no objection to re-assembling the Grand Jury. But the question, whether the Court had been regularly adjourned, had not been decided. The Magistrates had a meeting on Thursday, and he took care that the Grand Jury should be in attendance on Friday morning, in order to receive any instructions from the Judges; but no such instructions came, and he, as Chairman, could do nothing but tell the Grand Jury they were discharged. The Magistrates had applied to Mr. Justice Littledale, but he declined (no doubt very properly) to give them any advice. He thought it rather hard that, having been for three weeks held up to derision and odium in that House, he should not be heard in his defence. When he saw the declaration attributed to Mr. Const, he applied to that gentleman, who said that what he had stated was, that while he was Chairman no bills were brought in except when two Magistrates were present. But that was not the question in the present case. The question was, whether the witnesses who went before the Grand Jury were properly sworn. Upon that point Mr. Const expressed his inability to say anything.

The *Solicitor General* said, it was now indisputable that gross misconduct had been proved by the last speaker on the part of the Middlesex Magistrates, and some strong measures would be necessary.

MINISTERIAL PLAN FOR THE ABOLITION OF SLAVERY.] The House went into Committee on the Abolition of Slavery Bill.

The Question was, that the blank in clause 25 (giving power to the Treasury from time to time to make grants for the compensation of the planters) should be filled up by the insertion of the words "twenty millions."

Mr. *Herries* said, the time was now come when the noble Lord (Althorp) was bound to redeem his pledge, by affording to the House an explanation of the reasons which induced Government to propose so peculiar and novel an enactment as that of vesting the Lords of the Treasury with the power of making grants from time to time, to the amount of 20,000,000*l.*, without any application whatever to Parliament. In no Act of Parliament that he had examined could he discover a precedent for such a proceeding; and, such being the case, Government was bound to give satisfactory reasons why the ordinary, and unquestionably more secure, course of regulating grants of the public money, should in the present particular instance be departed from.

Lord *Althorp* admitted the course proposed to be adopted was unusual; but, taking into consideration the peculiarity of the arrangements under which the grant was to be claimed, no better, if indeed any other, course could be proposed. The House had already agreed, that a sum of 20,000,000*l.* should be raised, to be divided, according to a certain standard, among the several colonies, contingently on the adoption of certain regulations and laws for the ultimate abolition of negro slavery in such colonies. Now, the contingency which he had mentioned formed the ground for departing from the ordinary practice in cases of grants of public money. When that contingency might occur, or in fact whether it would occur at all or not, it was wholly impossible to foresee, and for that reason he could not conceive any other mode for advancing the money than by giving the Treasury the power to raise it from time to time, and as occasion might require, by way of loan. It was certainly an unusual course, and one for which he did not know a precedent; but it was to be recollected, that the circumstances it was proposed to meet were also unusual and without precedent. The right hon. Gentleman (Mr. Herries) had thrown out a hint that the money should be advanced in Exchequer bills; but he put it to the right hon. Gentleman, as well as to the House, whether an issue of Exchequer bills to the amount of 20,000,000*l.* could, under any circumstances, be either wise or expedient.

Mr. *Herries* was not satisfied as to the expediency, much less as to the necessity, of the proposed course. Under any circumstances, until the next Session, and, in all probability, for a much longer period, it was impossible any case could occur in which it would be necessary to make payments on account of the proposed grant; and he thought the more prudent course to adopt would be merely to give the maximum sum of compensation, and leave the arrangements by which that sum from time to time should be issued to the future consideration and decision of Parliament. Unquestionably, the proposed course was contrary to all usage. and, in his opinion, it was opposed to all propriety. Then, with regard to the means by which the proposed grant was to be raised. Notwithstanding all that had fallen from the noble Lord, he was of opinion that the proper constitutional means of levying the grant was by the issue of Exchequer Bills; and he recommended the noble Lord, before bringing up the Report, to reconsider the subject. All the difficulty in the granting of a power to the Lords of the Treasury to raise money at their own discretion, and without coming to Parliament, could be obviated, if, instead of the present, a clause was substituted, empowering the Lords Commissioners of the Treasury to raise such sums as might be required for the purposes of the Bill, not exceeding in the whole the sum of 20,000,000*l.*, in such manner and by such means as they shall be authorised and directed by any Acts of Parliament for that purpose. If such a clause were substituted, the money would be raised only when the contingencies to which the noble Lord alluded required it, and thus the responsibility likely to be occasioned by granting unlimited powers to the Treasury, as well as the danger of having large sums unnecessarily in hand, obviated. When the contingency occurred, all the Ministers of the day would have to do, would be to come down to Parliament and demand whatever sums they might require, to meet it; their right peremptorily to demand it being established by the present Bill. Not wishing at present to detain the House, he would content himself with throwing out his suggestion, in the hope that before bringing up the Report, the noble Lord would see the propriety of adopting it.

Lord *Althorp* admitted there was a good deal of judgment in the suggestion; and, without pledging himself to adopt it, he would promise, before bringing up the Report, to give it his best consideration. Perhaps, the strongest argument in its favour was, that it would take much unnecessary responsibility from those whom the Bill vested with the raising and disbursing of the money.

Mr. *Baring* had intended offering a suggestion very similar to that of his right hon. friend, and must therefore join in expressing a hope that the noble Lord would adopt it. As long as the noble Lord held his present office, the public had every requisite guarantee that no improper use would be made of the extraordinary powers with which the clause as it stood proposed to vest the Lords Commissioners of the Treasury; but it could not be expected the noble Lord would always hold office, and it was the duty of Parliament so to regulate the disposition of the public property, that no man could hazard it. He fully agreed with his right hon. friend, that every bargain of the same character as the present, should be conducted in the ordinary and long-established way—namely, by the Minister of the Crown coming down from time to time to Parliament, and applying for such powers as the actual necessity, not the contingent necessity, of the case demanded. It was by no means usual for Parliament to vest the Treasury with powers to conclude a bargain; and he was sorry, in the case of another Bill then before the House, relating to an application on the part of the city of London, to see Ministers attempting to violate the ordinary Parliamentary and constitutional usage, which was, for the Treasury to make the bargain, and then bring it to Parliament for ratification. In the course of the last war, on many occasions, it would have been most desirable for the Government of the day to conclude bargains without the consent of Parliament, but in no one single instance had the attempt been made. With respect to the best means for raising the money to be granted for compensation, he had also a suggestion to offer to the noble Lord, namely, that instead of borrowing money in the market accordingly as the contingency might occur, the most suitable mode of giving the slave-proprietors their settlement would be, grants in the shape of stock, bearing a moderate degree of interest. As in the case of the purchase of property, the purchase of the liberty of a slave could not be finally completed until the title of the master had undergone a full investigation; and as in that process a vast deal of time must of necessity be consumed, or else a very hasty inquiry take place, the most suitable mode of arranging the matter would be to give the planter stock at the rate of three and a-half per cent for each 100*l.* of his claim; the effect of which would be the locking up of the principal sum to meet any contingent claims that might arise. If the present arrangement was persisted in, what would be the state of the case? Supposing the contingency which the noble Lord alluded to as forming the condition for the grant to arise, the Lords of the Treasury would go into the market, and raise at once five or ten millions of money as the case might be; and if then they were to proceed paying 100*l.* of money for every 100*l.* of claims, pending the making out of titles, and the settling of contingent claims, a great many millions of the money so raised would be vested in their hands—a responsibility as disagreeable to the individuals who might fill the office, as it might be dangerous to the public. By his plan he was satisfied all parties would be suited, while the frequent borrowing of millions of money (which, independent of the jobbing it would cause, would keep the market in a perpetually feverish condition) would be avoided; and he confidently recommended it, or some modification of it, to the consideration of the noble Lord.

Mr. *Aglionby*, on his own behalf, and on behalf of his constituents and the people of England, must say, that there was no clause in the whole Bill which he should see carried with so little pleasure as the one under discussion. He was one who had always been of opinion, that no man's property should be taken away without an equivalent. If compensation were due, give it at once, but not under a delusion. Property, in his opinion, was held for the good of the public; and, being so held, could be taken away. In regard to land—the most sacred of all property—it was frequently taken away for the making of roads, canals, and other national advantages. But an equivalent was given. And how was it assessed? He was convinced that the planters must derive considerable advantage from free labour, and therefore there was the less reason to give them so large a sum as that now proposed. There were two classes of persons in the West Indies who were entitled to compensation; but from their relative situation entitled to it in a different degree. The first were those who had slaves without land, and who obtained a profit on the labour of the slaves they let out to hire to the other class—namely, those persons who had lands, and cultivated them by the labour of these slaves. He thought, that before such a sum as 20,000,000*l.* was granted, there should be some inquiry, to ascertain in what degree these different classes were injured. If 20,000,000*l.* could be proved to be a reasonable sum for the compensation of the planters, he had no objection to grant it; but he must say, that before it was definitively granted, it should be fairly assessed. If it were not, he must resist the grant of so enormous a sum. He did not know how such a sum of money would be raised. This country was already taxed almost to sinking; its industry was borne down by the load upon it, and, excepting the use of the lash, many of its lower classes were worse off than the negroes in the West Indies.

Sir *Robert Peel* said, his vote would be given on one single ground, a very simple one, but on that account not the less binding. The House of Commons had come to three deliberate Resolutions; the two first declaring that slavery should be abolished in the colonies; and the third that a sum of 20,000,000*l.* sterling should be appropriated as compensation to the planters, whose rights such abolition tended to affect. Those Resolutions having been agreed to, were communicated to the House of Lords, and being by them affirmed, were transmitted to the several West India deputations. He had not voted on the last Resolution, but as it had been agreed to by the majority of the House, he felt himself as much concluded by it as if he had. Now, was the House prepared, under such circumstances, to say, that their solemn Resolution respecting the compensation should go for naught, and that, although slavery might be abolished, the planters should not receive that compensation which was promised them? The question they had to decide was, whether they could recede from their former vote. If they could recede from the Resolution that slavery should be abolished, and could replace the planters in the situation they were in before the Resolutions were discussed, then they might shrink from granting twenty millions as a compensation; but if it was impossible for them so to recede—after announcing that slavery should no longer exist in the colonies—he did not see how they could recal the solemn and deliberate pledge given by both Houses of Parliament, that the sum for compensation should be 20,000,000*l.* To say to the planter that a nice distinction about a mill and a stream, or a farmer and his horses, had so satisfied the minds of the House against the propriety of compensation, that although slavery should be abolished, he should receive nothing, would be little pleasing to him, be he however pleased with metaphorical or ingenious arguments. He was free to admit that 20,000,000*l.* was an enormous sum in the present situation of the country; but as it had been agreed to by two branches of the Legislature, with the authority of the Crown, that such a sum should be granted, without saying whether it were more or less than the planters were entitled to, he considered himself concluded from diminishing it. There were many questions on which the first announcement of the King's Government, founded on the authority of the King, was decisive; and the present was one of them. The authority which the announcement that slavery was to be abolished had shaken, could not now be restored, unless the Resolutions to which the House had come were carried into effect; and, acting on that ground, he considered himself precluded from retracting from any one of them.

Sir *Eardley Wilmot* wished to know from the right hon. Baronet if Parliament was precluded from reconsidering a Resolution to which it had come. Did the right hon. Baronet mean to say, that after agreeing to a Resolution that a sum not exceeding 20,000,000*l.* should be granted as compensation, the planter was precluded from subsequently declaring that a lesser sum would be sufficient? The Resolution fixed the maximum; but he was quite sure it was competent for the House to reconsider that Resolution, and take any lesser sum.

Sir *Robert Peel.*—Technically speaking, undoubtedly the House could reconsider and retract from any Resolution; but at the same time it was a question whether by doing so the House would not be guilty of a breach of good faith.

Mr. Secretary *Stanley* begged to remind the House it had already on a division decided that the amount of compensation to the planters should be 20,000,000*l.* and not 15,000,000*l.*

Mr. *O'Connell* should not vote for the 20,000,000*l.*; he had not before agreed to it, and he did not do so now. It was a mere resolution of the House. If it had been an Act of Parliament, the House of course would be bound, but they were not by an inchoate proceeding of this kind. Those who had opposed the grant before could oppose it now; and this sum of 20,000,000*l.* was no laughing matter to the people of England.

Mr. Secretary *Stanley* observed, that the question had been taken whether any sum of money should be granted; and those who then thought that there should not be any compensation, could consistently say the same thing now; but those who had voted for the grant of 15,000,000*l.* had no right to object to that sum at least. It would not be an act of justice to take away the master's right to the labour of his slaves, and then refuse him compensation for the loss, so as to be able to hire the labour of those same men when they became free.

Mr. *O'Connell* said, that those who acted with him had not voted for the 15,000,000*l.* On the question that 15,000,000*l.* should be substituted for 20,000,000*l.* they had not voted, for that would have been to affirm the grant of the 15,000,000*l.* As to the right hon. Gentleman's observations about justice, it should be recollected, that when he first proposed his plan there was no talk of compensation. Where was his justice then? Justice was asleep then.

Mr. Secretary *Stanley* answered, that the hon. and learned Member was in the constant habit of making assertions which, so often as they were refuted, he made again and again, till, by force of repetition, he believed them to be true. He (Mr. Secretary Stanley) had before told the hon. and learned Member, that when the amount proposed to be raised was to be a loan, it was also proposed that that loan should be repaid by the negroes; but the House decided that the negroes should not be taxed, and therefore the vote of the 20,000,00*l.* became necessary, to raise the compensation in another way.

Mr. *Cobbett* observed, that it seemed they had not power to rescind a vote which was to give away the money of the people; but they had a competent power to rescind a vote which went to relieve the people from a part of their burthens. With regard to the money to be voted for this West-India property, he should not vote for one farthing of it. Either these slaves were property, or they were not. If they were we had no right to meddle with that property; if they were not property, we were not bound to give compensation for them. It was not like the case of the horses, to which they had once been compared, for they were not taken away, they were left on the farm. Aye, and his Majesty's Ministers had repeatedly said, and the right hon. Gentleman, who sat on a seat which seemed to inspire cheers of itself, that there would not be a smaller production of sugar after the emancipation than now. If the right hon. Gentleman had not said the slaves would work as well after emancipation as before, it certainly had been contended by others that free labour would be of advantage. He believed that to be a mistake. They would not work to any considerable extent but by compulsion. It was notorious that in parts of America, where the freedom of the negroes had been established, that when they were put on their own hands their numbers materially diminished. In the state of New York there had been fifty or sixty thousand of them when slavery was put an end to, but they had been diminishing from that time to this, and when he was in America the prospect was, that the race would be extinct in a few years. So that those who thought that after this measure the colonies would remain as they were, deceived themselves. He wished that they might, but he did not wish that this country should pay 20,000,000*l.* for a mere speculative good. It had been laid down in that House, that man could not have a property in his fellow man. Now, however, it was found out that the negroes were property, and the estates and the labour of Englishmen, even the labour of those who had not sufficient to eat and drink, on account of the weight of taxation, were to be further taxed to give 20,000,000*l.* to those who were accused of having been guilty of great cruelties towards their fellow-men, and who were said to have been, by being slave-holders, offenders against the laws both of God and man. However, he should not object to the vote if the noble Lord would complete his proposition of making paper a legal tender. Let the noble Lord set the paper-mill to work, and they might have the cash in hand. There would then be no difficulty in raising the money. If the noble Lord would promise to do that, he would vote for the grant.

Mr. *Henry Handley* thought, that if the Resolutions passed on this subject bound them so completely as the right hon. Baronet (Sir Robert Peel) seemed to imagine, he could only say, that the introduction of these Resolutions was a most ingenious net to catch country gentlemen. He might be making a display of his own ignorance, but he must state what had made him vote as he had done. He had always intended that the amount of compensation should equal the loss by emancipation. Now, however, the apprenticeship clause was introduced, and the emancipation was not as complete as he had expected, nor the loss to the planters much. It was now a question whether the negro would work for free wages? If he would do so, then the same amount of compensation would not be required. Under these circumstances he should vote for the smaller sum; and in doing so he did not think he was acting contrary to the spirit of good faith.

Lord *Norreys* said, as it was his intention to oppose the grant, he wished distinctly to state he was not one of those who were prepared to support the rest of the Bill. He would not consent to vote away the 20,000,000*l.*; but he had no hesitation in saying, if that clause were thrown out, he should consider it just and fair to the proprietors to vote against the third reading of the Bill.

Sir *Eardley Wilmot* presumed that the whole of this money would be paid, and for the very reason assigned by the hon. member for Cricklade, who said that the salaries of persons holding public appointments were granted in the same terms. It was known that they always took the maximum, and he had no doubt that the same course would be pursued with regard to the purchase of West-Indian property. He thought the sum originally proposed as a loan amply sufficient as a gift. When people talked of the prevailing distress, and of the burthens of taxation, as a ground for giving the smaller sum, the answer had been, that the honour of the country required that the larger amount should be inserted in the Bill. Now, he knew that thousands of his constituents were, if not actually starving, in a state of great destitution, and when he returned to them he should have to tell them, that they must continue to starve and be destitute for the honour of their country. On a former day, he had used a strong expression regarding an individual: he was happy to take this opportunity of saying publicly, as, indeed, he had said privately, that on inquiry he found it was not deserved, and that he was, therefore, very sorry for it.

The Committee divided on the Amendment—Ayes 27; Noes 152: Majority 125.

The Committee also divided on the question that the words twenty millions be inserted on the original clause—Ayes 132; Noes 51: Majority 81.

Clause agreed to

List of the NOES.

ENGLAND.
Aglionby, H. A.
Bish, T.
Blamire, W.
Bruce, Lord E.
Briggs, M.
Chandos, Lord
Cobbett, W.
Cornish, J.
Dillwyn, L. W.
Ewart, W.
Faithfull, G.
Fenton, J.
Gaskell, D.
Handley, Major
Handley, H.
Hall, B.
Harland, W. C.
Hawkins, J. H.
Hudson, T.
Hutt, W.
Ingilby, Sir W.
Knatchbull, E.
Langton, G.
Marshall, J.
Marsland, T.
Methuen, P.
Norris, Lord
Parrott, J.
Pease, J.
Philips, M.
Potter, R.
Roebuck, A.
Romilly, J.
Stewart, —
Strutt, E.
Thicknesse, R.
Todd, J. R.
Torrens, Colonel
Turner, W.
Trelawny, W. LS
Tynte, C. J. K.
Wason, R.
Whalley, Sir S.
Wilmot, Sir E.
Wigney, J. N.
IRELAND.
O'Connell, D.
O'Connell, M.
O'Dwyer, A. C.
Ruthven, E. S.
Ruthven, E.
Sullivan, R.
TELLER.
Briscoe, J. I.

Paired off.

AGAINST.	FOR.
Evans, Colonel	Codrington, Sir E.
Mills, J.	Howard, P. H.
O'Connell, J.	Villiers, Lord
Seale, Colonel	Watson, Hon. R.
Walker, R.	Whitbread, W. H.

On Clause 40 being read which provides that no part of the compensation fund shall be applicable, unless his Majesty in Council shall have first declared that adequate provision has been made by the Legislature thereof for giving effect to this Act,

Mr. *Fowell Buxton* rose to submit a proposition that half the sum agreed to be voted to the West-India proprietors by way of compensation, should be reserved until the period of apprenticeship expired. He trusted it was not necessary for him to take up the time of the House in arguing at any length in support of this proposition. The argument in favour of it was founded in the caution and prudence which men of the world displayed in the bargains made by them in ordinary transactions. The ordinary practice was to withhold the purchase-money until the commodity was delivered. He remembered one instance, in which there had been a deviation from that rule, and the consequence should operate as a warning. He knew not how many millions had been voted to Spain and Portugal for the abolition of the slave trade, but the money was paid before the condition was performed, and the consequence was that the money was kept, and the slave trade continued. In the present instance he could not contemplate any objection to his Motion. What he proposed was, that they should pay 10,000,000*l.*, the largest deposit perhaps, ever offered for the performance of a contract, and to put it beyond all question that they would perform the other part faithfully, he proposed that the residue of the sum voted to the West-India proprietors should be placed in the hands of trustees, to be paid to the West-India proprietors, as soon as the measure of emancipation was completed. He did not mean to disguise from the Committee that he doubted the ability and the intention of the West-India proprietors to perform their part of the contract. He doubted much whether they had the power. If they had any such power, would they have suffered his Majesty's Representative in Jamaica, to be insulted? Would they have suffered the unoffending missionaries to be abused and imprisoned, and would they have suffered the helpless slaves to be oppressed and ill-treated as they had been, for wishing to have the power of worshipping God according to the dictates of conscience? But if the West-India proprietors had the power, he doubted if they had the inclination. If the inclinations of the West Indians were to be ascertained, let them look at the conduct of those who represented the West Indians. All those he addressed had read, and many of them heard the speeches of Mr. Burge. Were they to judge of the feelings of the West-India proprietors by those speeches? [*No, no.*] Well, but was not Mr. Burge the Representative of the West Indians? Before the money was voted, Mr. Burge distinctly stated his determined hostility to the measure now under consideration. Many other gentlemen who stood in the character of Representatives had also declared their hostility to the measure. He admitted that he knew little of what was going on in Jamaica, but he had reason to believe that the proposition was met there with a spirit of decided hostility. Without pressing this point, however, he would ask, whether the people of England were not entitled to the fullest security that the contract for the purchase of which they were about to pay, would be fulfilled? The people of England, by their Representatives in that House, had set an example of generosity which he believed had never been equalled. Though the people of England were in great distress, they came forward upon principles of humanity and Christian charity, to vote this ample and enormous grant for the emancipation of the slaves. The last words of Mr. Wilberforce, uttered only a short time before his dissolution, were—"Have I lived to hear that the people of England have voted 20,000,000*l.* for the emancipation of the negroes?" When such a sum was generously granted, he repeated that the people of England were entitled to have the measure complete. For his own part he would be willing to give more than 20,000,000*l.* or 40,000,000*l.* if the measure was complete. It was not the question of money, which would stop him, if the right measure was to be accomplished; but he considered the measure imperfect, and that there was no sufficient security for the performance of the conditions. They had, in the course of the discussions on that Bill, heard a great deal about moral courage, but he would contend, that in the line of conduct which his Majesty's Government pursued, they had, in an eminent degree, evinced moral courage. It would have been easy for them to have gained a cheap popularity by yielding at once to the declared wishes of the country, and to have said, on coming into power, you shall have emancipation, and, what is more, you shall have that emancipation, at the expense of others. No; the language which the present Government held was this; you shall have emancipation, but you must pay for it. During the whole of the struggles in which he, as an humble individual, had been engaged for the attainment of the object then in view, he at least possessed the consolation of knowing that he had sought for emancipation, and for emancipation in peace. The hon. Gentleman concluded by moving an Amendment to the effect, "That not more than one moiety of the 20,000,000*l.* should be paid to the owners of the slaves until the term of apprenticeship of all classes of slaves should have expired, either by the effluxion of time or by the voluntary act of their masters; and in all cases where the master, in any of the colonies, shall put an end to the term of apprenticeship before its natural termination, he shall, from the moment he does so, become entitled to his share of the remaining unpaid 10,000,000*l.* compensation."

Mr. Secretary *Stanley* said, that the Amendment was somewhat obscure, but he supposed the hon. Member meant that one-half of the twenty millions compensation should remain unpaid until the term of apprenticeship of the negro should have expired. Now, he must say, that if the 20,000,000*l.* were justly claimed by the owners of the slaves, and according to the calculations the sum was not too great, it would be very unjust to limit its payment in such a manner as to render its amount not more than 16,000,000*l.* or 17,000,000*l.*; for, on a rough calculation, the delay in paying the 10,000,000*l.*, as proposed by the hon. Member, would, taking it at an interest of eight per cent, cause that sum to be reduced to 6,000,000*l.* or 7,000,000*l.* But did he rightly understand the hon. Member to mean, that he wished the whole sum to be raised now, and the interest of the moiety to acccumulate for the benefit of the country?

Mr. *Fowell Buxton* said, that the interest of the 10,000,000*l.* would of course, accumulate for the benefit of the planter.

Mr. Secretary *Stanley*: Then the Motion was made with no economical view towards the country, but, on the contrary, with a detrimental view to the planters' interests. The real question was, whether the House would hold out an inducement to the planters to terminate the apprenticeship sooner than the period at which it had been fixed by Parliament? He did not think it would be a desirable thing, or a thing consistent with the safety of the colonies, to hold out to the proprietors such an inducement—such an unnatural stimulus to put an early termination to the period of apprenticeship—a period which, as even fixed by the Bill, was rather short. Besides the mode of doing so, by assenting to the Amendment of the hon. Member, would have this bad effect, that it would prolong the duration of the Commissioners who were to distribute the compensation money, and thus add greatly to the expense of the proceeding, at the same time that it would greatly increase the difficulties in the way of litigation, arising from the changes of ownership, deaths of slaves, and other incidental causes, which the prolongation of the settlement of this matter for six years would naturally occasion. If the planters were at all entitled to the compensation, they were as much, and more so now, than they would be at any future period; and he therefore must oppose any delay in paying any portion of it.

Dr. *Lushington*, after complimenting the right hon. Secretary for the Colonies for the great parliamentary skill and *tactique* which he had displayed in the management of this measure from its first introduction, proceeded to observe that undoubtedly the resolutions when carried, solely specified the amount of compensation (20,000,000*l.*) to be paid, leaving the term of apprenticeship and all the other objects of the measure to be determined upon afterwards by the House. The right hon. Gentleman had thus, certainly, with considerable adroitness bound the House down to the money contract, and had it thus in his power to deal with them after as regarded the other objects stated in the Resolutions in such a manner as best suited his views. They had fixed the term of apprenticeship for a much longer period than he (Dr. Lushington) would have wished, but he would now say, for God's sake let them have some guarantee—some security for the full emancipation of the slaves. He was ready to admit, that he for one was bound by his vote to the amount of compensation, but he was anxious to get as good security as he could for the carrying of the measure into full effect on the part of the colonies. It was quite useless to say that they could rely even upon the acts of the colonial assemblies, though on the face of them they might have the appearance of being intended to carry into effect the objects for which they were ostensibly passed. He did not see the force of the arguments urged by his right hon. friend, as to the reduction of the sum to 6,000,000*l.*, by deferring its payment for six years, as the Amendment left it at the option of the Colonial Legislatures and proprietors to place themselves in a situation that would entitle them to receive the whole amount at once. He was of opinion that the proposition of the hon. member for Weymouth would secure the attainment of the object all had in view, and afford a much more speedy prospect of the complete freedom to the slave population of the West-India colonies; or at least would alleviate their condition before such prospects were completely carried into effect. He trusted the House would not be deceived on this point, but he hoped (with great deference to his right hon. friend below him) that the House would feel that they would best satisfy the great majority of the constituents of this country, and would discharge their duty in the manner best calculated to entitle them to the gratitude of those who sent them there, by adopting those measures which, with the greatest certainty and expedition, would effect the entire and complete abolition of slavery in the whole of his Majesty's dominions.

Mr. *Patrick Stewart* observed, that the real question before the House was the apprenticeship question, which, though it had already been disposed of, was brought into discussion for the third time, and he felt it his duty to state, that it had been intimated to those who represented, or endeavoured, like himself, feebly to represent the West-India interest, that if they would consent to the term of apprenticeship being fixed at six years, the subject would not have been mooted this evening in the House. His answer to this intimation had been, that if the grant was raised to 50,000,000*l.* he would not give his consent to such an alteration of the plan. Five years had also then been proposed, but he conceived that for any such a difference in the plans supported by the several parties, the security of the plan now proposed ought not to be hazarded. He protested against the opinions which had been promulgated by Mr. Burge and Mr. Barrett, as being considered as those entertained by the colonists in Jamaica; he could not think they were so demented as to foster such opinions. If even such violent expressions had emanated from Jamaica, then he would say, let that colony suffer for itself. But this amendment would effect this—that in consequence of the resistance of one colony out of nineteen, the remaining eighteeen should suffer on the footing of compensation. He, however, could say, from the information he had received, and particularly with reference to those colonies with which he was connected, that the most sincere, and efficient, and effectual co-operation had been recommended, and after such a co-operation he would ask the House to pause before it broke the bargain into which the Legislature had entered. He could say, that the colonies looked to this Government and to the House, for bringing this question (a question which formerly had been hastening them to destruction) to that point to which it had at last arrived. If the Amendment should prevail, and there should be a further postponement for six years, the consternation on the other side of the Atlantic would be such, that he would rather give up the bargain than that, so altered, it should go on. He could not but refer hon. Members to the speeches on this subject in the year 1824, of the hon. member for Weymouth, and of Mr. (now Lord) Brougham; but in particular he must call their attention to the speech delivered in 1831 by the noble Viscount opposite (Lord Howick) on the occasion of the subject of slavery being introduced. Before doing so, however, he (Mr. Stewart could not help expressing his regret that the noble Lord should refuse to co-operate in the plan now proposed, and he must say that the colonists ought not, in common fairness, to have been exposed to the attacks of the noble Lord with the advantages possessed by him, and acquired by him from the accident of having held office. To such information it was somewhat hard that the colonists should be exposed. On the occasion to which he had alluded, the noble Lord had said, "That on mature consideration, he felt that it would not be safe to the colonists, that slavery should be abolished immediately and at once, and the course then proposed by the hon. member for Weymouth (Mr. Buxton) would be attended with many disasters."[*] The noble Lord had also proceeded to say, "That he concurred with Mr. Canning in thinking that emancipation should be gradual, and through the planters; if not, a flame would be raised, only to be quenched by blood."[†] The noble Lord had proceeded further to say, "That emancipation ought to be gradual, diminishing at once the sufferings, the coercion, and the labours of the slaves, and must proceed link by link in removing the fetters which confined and oppressed them."[‡] Now, if the present Bill was framed with such a disposition (and he must say it did not go beyond it), it was for the noble Lord to show the grounds upon which he now changed his opinions. The two great causes of a change in opinion were time and place; time in the present case could not be the cause, and but one other remained. On the whole, he would beseech the hon. member for Weymouth not to press his amendment; but if the hon. Member should do so, he (Mr. Stewart) would conjure the House not to give its assent to a proposition so fraught with mischief.

Lord *Howick* said, that he had observed ever since he had a seat in the House that those who had to struggle against the cause of justice and reason were ever ready to support the weakness of their arguments by a personal imputation against those to whom they might be opposed. Such had been the case in the present instance. It had ever been the practice to apply selfish motives to those in opposition to their assailants, and he well remembered that his noble friend, the member for Devonshire had been attacked in the same manner during the discussions on the Reform Bill. It had been then imputed to his noble friend, that he had exempted Tavistock, Calne, and other places from the provisions of that measure from selfish motives; and when such attacks were made on him, they produced no other feeling in his mind than those of the most ineffable contempt, pity, and compassion for any hon. Gentleman who had no better arguments to advance than the imputation of selfish motives to others. [Mr. *Patrick Stewart* had never mentioned the noble Lord's motives, he had merely quoted his speech.] The hon. Gentleman had certainly quoted his speech, but when the hon. Member had said, that the only two reasons which could be assigned for a change of opinion were time and place, he had also added, that time could not now be the cause, and had suggested an imputation on him, to which the hon. Member durst not adhere, and which he treated with the most perfect scorn. He would not deny that a great change of opinion had taken place in his mind upon this question. He had stated to the House already how that change had been produced in his mind, and he was sure the House would not think him capable of pursuing such a line of conduct as had been suggested. While he had the honour to hold office, he had urged his views upon the members of the Government in the hope they would be convinced of their policy. He had, however, failed in effecting that conviction in the minds of the Government, and before he knew one word that his right hon. friend was to succeed to the Colonial Office, he had resigned his place. He would appeal to his hon. friend to say whether, on the decision of the Government against him (Lord Howick), he did not resign some days before his right hon. friend was appointed? He could also say, that if he had chosen to make use of the information he had derived when in office, as had been suggested, he could assure the hon. Gentleman opposite, that he could have made it much more difficult for this scheme to be carried forward; but he thought, that having resigned on the ground, that the Government would not go so far as he considered necessary, it was due to the House, when the question should come forward, that he should state his real opinions upon it. It had been said, that the House was obliged to grant 20,000,000*l.* as an equivalent for the freedom of the slaves. He had not voted for this grant, because he could not concur in it before he knew what was the consideration he was to receive. That consideration, it appeared, was not complete freedom; and he could not assent to the grant. He contended, that 20,000,000*l.* was ample compensation for full and complete emancipation, and if this was not given, certainly a portion of the compensation should be withheld. He was further of opinion, that too much power would be left under this Bill in the hands of the colonists themselves, in having it reserved to their legislatures to define what should constitute insolence, refusal to work, or passive resistance on the part of the slave population; there was, in fact, no assurance that the measure would be fully carried into effect by the colonists; and again he was satisfied, that divested of political feeling, a portion of the grant should be deferred on financial grounds; for if the grant were all at once made, he believed the expenses of the colonies would be increased rather than diminished. When freedom existed, these expenses could only be diminished, but while apprenticeship was in force, instead of a diminution, he had strong reason to believe, that an accession to the force already employed in the colonies would be required. Upon these grounds he should give his hearty support to the Amendment proposed by the hon. member for Weymouth.

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[*] Hansard (third series) vol. iii. p. 1443.

[†] Ibid.

[‡] Ibid.

Lord *Althorp* said, that the hon. and learned member for the Tower Hamlets had argued on the presumption that the opinion of the House was in favour of immediate emancipation, without any apprenticeship. Now that was not the case. The opinion of the House was shown to be, that the intervening apprenticeship should take place. It was absurd to suppose, that slavery could be postponed beyond the time prescribed. The Imperial Legislature having declared, that slavery should cease at a certain time, it was utterly impossible that the Colonial Legislatures should keep the slaves longer in slavery. There was, therefore, no danger to be apprehended on that account. He (Lord Althorp) thought, that in a case of such great importance as the present, such financial arguments as had been brought forward by the noble Lord ought to have no force. He thought, that nothing would be so unwise and impolitic as to make an alteration which would give the greatest dissatisfaction. It was true, that the noble Lord (Lord Howick) had resigned his office before this measure was brought forward, and as far as his opposition to this measure went, it was certainly much more persevering than he (Lord Althorp) could wish. He hoped, that the House would not assent to the Amendment proposed by the hon. member for Weymouth.

Mr. *O'Connell* could have no confidence in the West-Indian body, if the Amendment of the hon. Member were lost. He did not wish to defeat that Bill. His opposition extended only to parts of it. At first it had been proposed, that 15,000,000*l.* should be given to the West-Indians as a loan, and that that sum should be paid by the negroes; that loan had now changed into a gift of 20,000,000*l.*, which was to be paid by this country. Was there ever an instance of such bountiful liberality as this towards the West-Indians? Was there ever anything so miraculous, as that a loan of 15,000,000*l.* should all at once spring up into a gift of 20,000,000*l.*; and that for this gift of 20,000,000*l.* they were only to take two hours and a-half per day of the labour of the negro from his master? They had cut off two hours and a half a day of the negroe's labour, and for that they were about to give the planters 20,000,000*l.* The enormity of such a proceeding was stunning. But as the West-Indians were to get these 20,000,000*l.*, the House of Commons had reason, at all events, to expect some symptoms of humanity on their part. None such, however, appeared. But, on the contrary, all the delegates of the different West-India colonies were protesting against the measure. They had bought no co-operation on the part of the West-Indians; and if they found them fighting for the last half pound of negro flesh in that House, what were they to expect of the Colonial Legislatures in the West Indies? Now, the nation had only a mere hope of co-operation from that quarter, for it had received no promise to that effect. He thought, then, that only one half of the 20,000,000*l.* ought to be paid at present, and that they should keep the other half till they had an opportunity of seeing if the West-Indians would keep their promise. This was the most important part of the Bill; and the people of England would see, by the decision upon it, whether they were to be deluded or not.

Mr. *James* said, that being no lawyer, he could not follow the system of special pleading which had been observed, neither could he compete with lawyers in the debate. He had formerly said, and he still maintained, that, in spite of slavery, the slaves in the West Indies were better off than the labourers of this country. If the peasants of Ireland were as well off as the negroes of the West Indies, the hon. and learned member for Dublin might indeed give up his agitation, for it would be useless. It might well then be said: "Othello's occupation's gone." The hon. and learned Member would truly find, that the effect of his agitation had disappeared—

> And, like the baseless fabric of a vision,
> Left not "the rent" behind.

Mr. *Robert Gordon* would beg to say a few words, as a person much interested in the measure. He said, that from the moment the Resolutions proposed by the right hon. Secretary for the Colonies were adopted by the House, and sent out to the colonies, slavery was virtually abolished. But these Resolutions had been agreed to on the distinct understanding, that 20,000,000*l.* should be given as compensation to the slave proprietors. Was the House then, he would ask, determined to enforce the first part of that implied contract, while they were disposed to depart from the latter part of it. It was evident, that without the aid and concurrence of the Colonial Legislatures, it would be impossible to carry this measure into execution; but was it likely, that the Colonial Legislatures would feel the more inclined to lend their aid if they saw symptoms of the House breaking faith with them? He knew, that the West-Indians looked with the greatest alarm to any change in this part of the measure, and he earnestly hoped, that the House would not diminish a sum which was not more than equivalent to the purpose for which it was intended.

Lord *Sandon* said, that this was not a mere question of economy; the question was, how they could procure the object so much wished for—namely, the abolition of slavery, He thought, that they were more likely to accomplish that object by having the assistance of the Colonial Legislatures, than if those Legislatures worked against them. He hoped, that the House would not take a lesson of conciliation from the hon. and learned member for Dublin. He had never seen or heard of a single act of that hon. and learned Gentleman which tended to lead to that conclusion. He hoped, that they would not embarrass the question by raking up the recriminating matters of former years, but would join in endeavouring to abolish slavery in the safest manner possible; and that they would really endeavour to conciliate the West-India Legislatures, and not merely speak about reconciliation, like the hon. and learned member for Dublin, who had it always on his tongue, but never followed it.

Mr. *O'Connell* had never supported—but the noble Lord had—the foulest bribery and corruption. If he had, the noble Lord might indeed reproach him; but it was not likely that he should. If the noble Lord had been able to have his way, the foul corruption of that ancient borough he represented would have been preserved. Let the noble Lord take his conciliation out of that. The Committee were ready enough to call him to order; why did they not call the noble Lord to order, when the noble Lord was assailing the whole of his political life; and why did the Committee call him to order, when he referred only to one small chapter in the noble Lord's political history? He would say, by way of parenthesis, that when the noble Lord had done as much for his country, as he (Mr. O'Connell) had done for his—[*Laughter drowned the conclusion of the hon. Member's sentence*]. He would then turn to the hon. member for Carlisle, and he did so the more readily, as that hon. Member was a Radical brother of long standing. And when that hon. Member told the House, that the negroes had some of them saved 200*l.*, and that they did not care for the whip, he could tell the hon. Member, that there was not one peasant in Ireland, who, for his 200*l.*, would forego his privilege of looking the man in the face—be he who he might—who raised his hand against him. He had heard the hon. Member's doctrine; and he must say, that he repudiated it with the utmost respect. They were asked to give away their money, without being assured of receiving any value for it. They were told to pay and confide. That was not the English method of doing business, and he was against voting the money till they had value for it.

Lord *Sandon* did not complain of the observations of the hon. and learned Gentleman, as he had made an attack upon the hon. and learned Gentleman; but he wished to remind the Committee, that the hon. and learned Gentleman had before been attacking all the persons connected with the West-Indies, and he (Lord Sandon) therefore, was not the person to cast the first stone. He was convinced, that the inquiries into the borough of Liverpool had substantiated all that he had ever contended for. He had never denied, that there had been, in former times, corruption in Liverpool; but he had contended, that the three last elections were as pure as those of any other borough.

Mr. Secretary *Stanley* wished to call the attention of the Committee to the question under discussion; for the hon. and learned member for Dublin, who had been absent from the House in the early part of the debate, and had since made two or three speeches, had not, with the exception of repeating very often the words twenty millions, said one word which bore upon the question then under discussion. The hon. and learned Member had gone into all sorts of collateral topics which were likely to create irritation in the West-India body. He had adorned them with that eloquence which he could so well employ, but on the question before the Committee the hon. Member had not said one word. He put it to the House to recollect, that by their Resolutions which had gone out to the West Indies, they were pledged, if to anything, to pay the 20,000,000*l.* If there were one thing fixed, it was that; if there were one thing indefinite, it was the term of apprenticeship. They had altered the term of apprenticeship by one-half in favour of those who thought like his hon. and learned friend (Dr. Lushington); and how could they, therefore, now turn round and refuse the 20,000,000*l.*? They had bound themselves by a majority of two to one to adopt the Resolutions, and he called upon them, as they valued their consistency, to fulfil their promises. Would they now try, by a side wind, to diminish that sum one-half, by postponing the payment? He considered the Amendment to be of that nature that they could not, as men of honour, agree to it, and it would be so important in its effects that the Government could not adopt it. If the House, therefore, adopted it, they would certainly endanger the Bill, unless the hon. member for Weymouth was prepared to take it out of the Minister's hand, and carry it forward to a successful termination. That course the Government and the hon. Member would be bound to follow. He had witnessed with much satisfaction the gradual disappearance of obstacles and difficulties; he had a hope that he should conduct the Bill to a successful termination; and he entreated the Committee to consider well before they adopted a decision which would reverse a decision already sanctioned by a majority of two to one.

The Committee divided on the Amendment—Ayes 93; Noes 144—Majority 51.

Clause agreed to.

List of the AYES.

ENGLAND.

Aglionby, H. A.
Attwood, T.
Bewes, T.
Berkely, Hon. C. F.
Bish, T.
Blake, Sir F.
Bouverie, Captain
Briggs, R.
Briscoe, J. I.
Brocklehurst, J.
Brotherton, J.
Brougham, J.
Cayley, Sir G.
Cayley, E. S.
Chandos, Marquess of
Clay, W.
Collier, John
Curties, H. B.
Curteis, Captain
Dashwood, G. H.
Dykes, F. L. B.
Evans, W.
Ewart, W.
Faithfull, G.
Fenton, J.
Forrester, Hn. G. C. W.
Gaskell, D.
Grote, G.
Handley, Major
Handley, H.
Handley, W. F.
Harand, W. C.
Hawkins, J. H.
Howard, Hon. G. F.
Howick, Lord
Hudson, T.
Hutt, W.
Hyett, W. H.
Ingilby, Sir W.
Jerningham, Hon. H. V. S.
Lambton, H.
Lamont, Captain
Langdale, Hon. C.
Lushington, Dr.
Locke, W.
Marjoribanks, S.
Marsland, T.
Martin, J.
Methuen, P.
Morrison, J.
Ord, W. H.
Palmer, R.
Pease, J.
Penleaze, T. F.
Philips, M.
Petre, Hon. E.
Potter, R.
Poulter, J.
Pryse, P.
Romilly, J.
Romilly, E.
Sanford, E. L.
Scrope, P.
Strutt, E.
Tayleure, W.
Thicknesse, R.
Tooke, W.
Torrens, Colonel
Trelawny, W.
Turner, W.
Tynte, C. J. K.
Vernon, G. J.
Wason, R.
Whalley, Sir S.
Wigney, J. N.
Wilks, J.
Williams, Colonel
Winnington, Sir T.
Winnington, Captain

SCOTLAND.

Agnew, Sir A.
Johnston, A.

IRELAND.

Blake, M.
Evans, G.
Finn, W. F.
Mullins, F. W.
O'Connell, D.
O'Connell, M.
O'Connell, J.
O'Dwyer, A. C.
O'Reilly, W.
Ruthven, E. S.
Ruthven, E.
Sullivan, R.
Vigors, N. A.
Grattan, J.

TELLER.

Buxton, T. F.

Paired off.

FOR.	AGAINST.
Parrott, J.	Russell, Lord J.
Seale, W.	Codrington, Sir E.
Paget, Captain	Bulwer, H. L.
	Bulwer, E. L.

Mr. *O'Connell* proposed that in the preamble the words "service of" be substituted for the words "right of;" upon which the House divided—Ayes 103; Noes 22—Majority 81.

The Preamble agreed to.

The House resumed—the Report as amended was brought up.

HOUSE OF LORDS,

Thursday, August 1, 1833.

MINUTES.] Bill. Read a second time:—Stage Carriages Act Amendment.—Read a third time:—Blackfriars Bridge.

Petitions presented. By the Bishops of LONDON and HEREFORD, and the Archbishop of CANTERBURY, from several Places,—against the Punishment of Death in certain Cases.—By the Duke of BUCCLEUGH, from Selkirk, against a Clause in the Burgh Magistrates (Scotland) Bill.—By Lords SUFFIELD, AUCKLAND, POLTIMORE, BEXLEY, DINORBEN, and WESTERN, and by the Marquess of CLANRICARDE and the Earl of CAMPERDOWN, from several Places,—in favour of the Jewish Civil Disabilities Bill.

EMANCIPATION OF THE JEWS.] The Duke of *Sussex* presented a Petition in favour of the Jewish Civil Disabilities Bill, signed by 7,000 inhabitants of the city of Westminster. He should give the measure his utmost support, on the same principles on which he supported Catholic Emancipation. He thought it the right of every Church, whatever its tenets, provided they were not subversive of the society in which it existed, to enjoy every privilege of citizenship in common with other members of the community. The Jews had been for a number of years in this country, during which they had invariably proved themselves loyal subjects, and obedient to the laws; they had subscribed liberally to the charitable institutions of the country—had exhibited habits of laudable industry, and were grateful and useful members of society. It was not for him to occupy their Lordships' time by any reference to the Jewish religion, but of this he was sure, that in persecuting them we should be by no means acting in the spirit of our own religion.

Lord *Bexley* rose to move the second reading of the Jewish Civil Disabilities Repeal Bill. If the Roman Catholic Relief Bill had not passed, and relief had not been given to the Dissenters, he should not have supported this measure, because such a proceeding would have looked like an insult to a numerous body of their fellow-Christians, and because he knew that he should have many difficulties to encounter. But the disabilities under which the Roman Catholics laboured having been removed, no reason existed to prevent him from taking this step. The danger to which the Established Church might be exposed by removing the Roman Catholic disabilities was one of the great arguments urged against that measure; but in the case of the Jews no such danger was to be apprehended. Wherever the Jews had hitherto obtained civil rights, they had become worthy citizens, and he could not see why the same thing should not happen here. A Bill had been passed in 1752 for their relief; but it was received with great dissatisfaction by the public, and was repealed soon after. The popular mind, since that time, had, however, undergone a very great alteration, as might be inferred from the number of petitions presented in favour of this Bill. There was one argument in favour of the Bill, which, he admitted, had considerable weight with him—namely, the argument founded on the fact that the Bill had received the sanction of a large majority of the House of Commons. He did not mean to say, that their Lordships should be unduly biassed by the decisions of the House of Commons, but they could not deny that the present House of Commons represented a wider surface of popular sentiment than any other.

The Archbishop of *Canterbury* said, that the noble Lord who moved the second reading of this Bill, had adopted that course of moderation, of calmness, and of piety, which he should have expected from his noble friend, and which characterised every proceeding in which he took part. At the same time that he rose to oppose the Bill, he confessed that he concurred in many of the statements of his noble friend; but he regretted, as he must on every occasion when he differed from him, that he could not come to the same conclusion. Of many of the objections which had been urged against admitting the Jews into the possession of civil power, he thought as lightly as his noble friend. As to the expectation of a return to the promised land, if it were true that they had never yet resigned their hope of again possessing those advantages and blessings which were once peculiarly their own, who could think the worse of them on that account? If they did not, indeed, forget the promises which had been made to them, and cherished the expectation of regaining those advantages of which they had been deprived by circumstances: and if even their ultimate view was a return to that Jerusalem from which they had been banished, he did not think this was a reason why they should be incapable of attachment to the country which, for the present, afforded them shelter and protection, or incapable of loyalty to their Sovereign, and of maintaining the relations of society with their fellow-subjects. Another objection to this people was much insisted on, though not touched upon by his noble friend. It was, that their moral and intellectual capacities were not such as to entitle them to any share in the Legislature. Now as to the question of morality, the precepts of their morality were founded on the laws of the Prophets, and drawn from the Fountain of Holiness; and he was not aware that they had been so corrupted by man as to be entirely deprived of their original lustre. Nor was there anything to show that they were more inattentive to their law than many Christians, he lamented to say, undoubtedly were to the divine precepts of the Gospel. And with all allowance for human infirmity, he believed there was little ground for particularly objecting to the Jews upon the score of immorality. As to their intellectual powers, they certainly did not appear to him in the contemptible light in which they were contemplated by others. It might not be justifiable to attribute the Holy Writings exclusively to the Jews. It was difficult to determine how much of the surpassing glory of these was to be referred to the spirit—how much to the medium. At the same time, however, one could hardly suppose that a people, from among whom works of such unparalleled sublimity and beauty had emanated, were, in truth, so low in intellect as some would represent them. But, setting the Holy Scriptures aside, there were the writings of Jesus, the son of Sirach, in which there was no pretence to inspiration; and these, he could state, were admirable specimens of the precepts of pure morality set forth in an eloquent and powerful manner. Josephus and Philo too, in ancient times, stood almost on a par with the great historians and philosophers who have earned undying fame. With the latter works of the Jews he was not acquainted, except by partial quotations. In these, however, he had found passages which would do honour to the theorists and moralists of any age or country. He would say nothing of what had been done by them in Germany, not having the means of knowing how far the disciples of Mendelsohn had lost sight of the original principles of the scripture; but with respect to the state of intellectual culture which the Jews possessed in this country, he would observe that he had lately read a work by a gentleman of the Jewish persuasion—a work published some years ago; it was in relation to the authenticity of the Bible, and certainly the justness of the observations, and the sagacity of the criticism, were such as would do honour to any Christian commentator. He had also seen, not long since, a letter from the same gentleman in refutation of some charges which were made against the Jews, and the reasoning, and style, and tone, and temper, did honour to that gentleman's feeling and understanding, while, through the whole composition, there was that dignified calmness which belongs to conscious innocence. He had, also, learned from a reverend Gentleman who had held some controversies with certain Priests of the Jews, that nothing could exceed the candour and courtesy they exhibited on these occasions. The reverend gentleman was disappointed in the hopes he entertained of convincing them they were in error. He made no impression on them in this respect, but he had reason to believe that both parties separated pleased with each other. It might be asked, then, why should not the nation avail itself of such high talents by obtaining the assistance of those persons in Parliament? Now he thought that Parliament was the place of all others where they could be of least service; and even if they could be of more service than he ever could imagine, he would not consent to purchase their services at the expense of principle. The example of other countries, in conferring full privileges upon the Jews, had been appealed to by his noble friend. Whenever this was stated upon any occasion, he was inclined to pay little attention to it. It was scarcely possible that we should have a complete and correct account of the particular circumstances attending the event; and supposing even that the case alluded to in a foreign country, and that under consideration in our own, were perfectly analogous, and that we were in possession of all the facts, there yet remained the question to be settled—was, or was not the proceeding abroad beneficial? And before he could be reasonably called upon to act upon this precedent, it should be proved to have been beneficial. The noble Baron had next stated, that the Papists and Protestant Dissenters enjoyed, in full, all those privileges which were now called for on behalf of the Jews; and his noble friend had proceeded to ask, why should the Jews be excluded from those advantages which are enjoyed by all other classes of his Majesty's subjects; and the more especially, as the number they could send to Parliament would, of necessity, be so small, as to be incapable of having that degree of influence which would prove injurious, even if exercised to the prejudice of the religion of the country? What harm, then, asked the noble Baron, could result from admitting them to Parliament? This question might, perhaps, be well met by another question. If they were to be so powerless in Parliament, what good would result from admitting them? That question was of some importance, the more especially as they appeared to be a class of men equally disqualified by their habits and manners from taking a useful part in the Legislature. If the change were to be so inefficient, why should it be made? It was not this, however, which had the most weight with him; it was to the principle he objected. The great principle of this State was, that the religion of the country should be Christian. Now, taking this view of the case, the false religions of Mahomed and Bramah were less objectionable than the religion of the Jews. The Jewish creed was of course intrinsically superior to these superstitions, but it stood in a peculiar relation to Christianity. There was in the religion of the Jew not simply a negative, but a positive contradiction of Christianity. The profession of a Jew's faith included in it a declaration, that one whom we regard as the Saviour was a wicked impostor, and one who justly suffered death—one that cast disgrace upon the name, and brought exile, and servitude, and persecution upon their nation. There were persons professing Christianity who might be indifferent to this distinction between the Jews and men of other religious persuasions, and suppose that it should have no weight; yet this he could not well imagine, He might be accused of folly and bigotry when he declared that, in his opinion, the nations were under the guidance of a special Providence, which had regard to the interests of our own holy religion, and that empires as well as nations crumbled into dust when they flung from them the precepts and practices of Christianity, and forgot their duties to him who presides over all things for the interests of the true faith, and the glory of his holy name. For himself, he should feel himself wanting in what was due to the author of our holy religion, if he did not vote against that Bill. He looked upon the Jews with wonder mixed with admiration. From the first they were separated from the other nations of the earth. They stood apart, like a light in the firmament, shining forth the prevailing attributes of the Creator, and announcing the hope of a Redeemer to a benighted world. In their present state, they yet maintained their original character of vouchers for the Divine Truth, and continually bore a testimony irrefragable, because involuntary, to the faith of the Gospel, attesting the truth of the prophecies which related to Christ's mission and their own misfortunes. He regarded them with admiration and pity. He felt respect for their constancy—compassion for their errors and sufferings. He hoped the time would come when the veil would drop from their eyes, and they would see the delusion which had led them astray, and fall into the arms of the Saviour, who had all along considered them as erring children, and who held his arms open to receive them in their penitence. He himself regarded them as brothers, separated for a time from the great family, but one day to be restored to the household of faith, under the protection of the common father. In conclusion he declared he would give them every privilege and advantage which could really benefit them — which could gratify their feelings or increase their consideration in the State, except the privilege of sitting in Parliament. The most reverend Prelate moved that the Bill be read a second time that day six months.

The Archbishop of *Dublin* spoke as follows*: — My Lords, feeling myself bound in conscience to support this Bill, I feel myself also called upon not to give a silent vote, lest I should be open to misconstruction. Misconstruction, perhaps, I shall, at any rate, encounter from some; but I feel myself bound, as far as I can, to guard against it at the hands of the considerate and candid. I will not occupy your Lordships' time by protestations of the sincerity of my attachment to Christianity. Such protestations receive, in general, but little credit; and deserve but little, unless they are borne out by the general conduct of those who make them; and if they are, I consider them to be superfluous. I will take leave to observe, however, that, setting aside all considerations of duty, it is not likely that a Christian clergyman should be indifferent to the security of the Christian religion—that a Prelate of the Establishment should be indifferent to the safety or the credit of the Establishment—or that a Member of this House would be willingly accessory to the degradation of the Legislature.

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I shall offer a very few observations on a part, and a part only, of the objections which have been taken to this Bill. And I shall confine myself to the consideration of objections, because it must be admitted, I conceive, that if these are removed, the Bill ought to pass. The presumption is evidently in favour of it; and the *onus probandi* lies entirely on those who oppose it. The general rule, indeed, is that the presumption is in favour of any existing institution, and that the burthen of proof lies on those who call for a change. But in the case of all restrictions and disabilities, I consider the rule to be reversed, and the burthen of proof to lie on the other side. Disabilities, restrictions, burthens, pains, and penalties of various kinds, may sometimes be necessary; but no one will contend that they are good in themselves. I conceive, therefore, that it is not incumbent on those who advocate this Bill, to point out, in the first instance, the advantage of the relief which it proposes to give, but rather to meet the objections that are brought against it; because, if no sufficient reason can be shown for continuing them, it is clear that these and all other restrictions (their only warrant being that of necessity) ought to be removed.

Now the objections which I have heard, not in this particular debate only, but on other occasions also, to the removal of the disabilities imposed on the Jews, may be divided into two classes—those of a purely political character, and those of a religious character. The first class of objections has reference to the Jews, not as a certain body of religionists, but as a distinct nation, looking forward with a confident hope to an ultimate return to the land of their fathers, and having habits of thought, and feelings of patriotic attachment so exclusively confined to their own race, as to render them incapable of mingling as good citizens on equal terms with any other. On that class of objections, I shall say nothing on the present occasion; being desirous of addressing this House as seldom as possible on questions purely political. I shall confine myself to the second class of objections, which has reference to the peculiar religious tenets professed by the Jews.

It is urged that persons who not only do not acknowledge, but who renounce and deny—and some say vilify—the great Author of the Christian religion, ought not to have any voice in the legislature of a Christian country. On this point arises a question, which I own I find it very difficult to answer. The Legislature of this country—I mean the two Houses of Parliament—is not confined to what may be called the Civil Government—the imposing of burthens which all must bear, and the enacting of laws which all must obey—but extends to the government of the Established Church also, even in matters purely ecclesiastical. It is, in fact, at present the only Ecclesiastical Government; since convocation has long been in a dormant state in England; and in Ireland does not exist even in that state. Whoever, therefore, is admitted to a seat in the Legislature, is admitted to a share in the Government, not only of the State, but also of the Church; and that, not only in respect of its temporalities, but also of purely Ecclesiastical affairs. If, therefore, the question be asked, " What right can a Jew have, under any circumstances, to legislate for a Christian Church?" I know of no answer that can be given to that question, except by asking another: What right has a Roman Catholic to legislate for a Protestant Church; or a Presbyterian for an Episcopal Church? What right, in short, has any man to legislate, in Ecclesiastical matters, for any church of which he is not a member? This anomaly appears to me to exist in all these cases alike. The Jews, it is true, are much further removed from us than any sect of Christians; but it does not follow that they are more likely to make innovations in our religious institutions. They never attempt to make proselytes, nor to introduce into

Christianity any admixture of Judaism; nor is it likely they would attempt, in any way, to interfere with the doctrines or institutions of any description of Christians. Christians, on the contrary, of different persuasions, have often interfered in the most violent manner with each other's faith and worship. The Presbyterians did, we know, at one time, when they gained the ascendancy in this country, eject from every parish in England the Episcopalian clergy, and were in turn ejected by them; and I need not remind your Lordships of the many and violent struggles between Roman Catholics and Protestants in this and in many other countries. In fact, the nearer approach to each other in point of faith between different denominations of Christians than between Christians and Jews, instead of diminishing, increases the risk of their endeavouring to alter or to overthrow each other's religion. Although, therefore, I cannot, in the abstract, approve of Jews being admitted to legislate for a Christian Church, or of the Ecclesiastical concerns of any Church, being, in any degree, under the control of such as are not members of it, I cannot on that ground consent to withhold civil rights from the Jews, when Roman Catholics and Dissenters have been admitted into Parliament; since, in the case of the Jews, the anomaly is not greater, and the danger is even less. The nearer any class of men approach to ourselves in their faith, the more likely they are to interfere with ours.

If, indeed, an erroneous faith be regarded in the light of a sin against God, and if we were authorized to visit this sin with civil disabilities, we might then look to the greater difference in faith of the Jews, than of any Christians. I trust I may dismiss, without argument, the notion of our having a right to punish men on account of their religious opinions, either with a view of forcing them to renounce those opinions, or of inflicting retribution on them for erroneous belief. Often as that principle—which is, in fact, that of persecution—has by many been implied in their practice—no one, I imagine, will be found, in the present day, to defend it in the abstract. If, indeed, we were to admit the principle of punishing religious error, then, as I have said, the greater error of the Jews might be consistently assigned as a reason for harsher and less indulgent treatment of them than of any sect of Christians. But the only ground which any one will distinctly avow as authorising penalties and restrictions imposed on any class of religionists, is that of self-protection—to guard ourselves either against religious corruption, or against some alarming civil danger. And in this point of view—looking to self-protection and not to punishment—it is plain, that the nearer any persons approach to us in religion, the greater the danger, when there is any to be apprehended, of admitting them to an equality of rights with ourselves. We know, that the Roman Catholics have persecuted the Protestants, and the Protestants, in their turn, the Roman Catholics—in short, we know that the various sects of Christians have done more, in molesting each other's faith and worship, than any Jews or Pagans have done against Christianity.*

When, therefore, it is said, that although not an exclusively Protestant, we have still an exclusively Christian Legislature, I cannot but confess that a Christian Legislature, as such—simply as Christian—does not necessarily afford religious, or even personal security to a Christian. The most merciless persecutions, we know, have been (it is with shame and sorrow I speak it, but it is notorious) those inflicted by Christians on each other. From the mere circumstance, therefore, of being under a Legislature exclusively Christian, I can derive no security; and, what is more, I am certain that your Lordships think with me in this: for, there is no one of us, professing Protestantism, who would not prefer living in Turkey or Persia, where he would be allowed, on paying a small tribute, the free exercise of his religion, to living under an exclusively Christian Government in Spain or Portugal, or any country in which the Inquisition was established. The mere circumstance, therefore, I say, of our having a Christian Legislature, is not of itself any ground of security. But, on the other hand, there is not necessarily any danger, or any incongruity, in persons of any religious persuasion, different from that of the Church of England, legislating upon matters distinct from religion.

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* Were it possible for any one to doubt the existence in the present day of such feelings and principles as I have here alluded to, he might but too easily satisfy himself by simply looking to the amount of calumny, insult, and execration, which have been, on party-grounds, within the last few years, (or even, months) heaped on some, not only members but Prelates, of the Established Church, not more by the avowed enemies of that Establishment, or of the Gospel itself, than by persons professing the deepest veneration, and the most fervent zeal, for both.

Not that this is any just ground of uneasiness in those who have been so assailed. The example, and the warnings, of their great Master, ought to have prepared them to regard it as a blessing, "when men hate, and persecute, and speak all manner of evil of them falsely, for his sake." But a proof is thus afforded that the name of Christian furnishes no security that the spirit of the Gospel will be manifested; since it appears but too plainly that those who thus revile and calumniate every one who will not co-operate with their party, would not have been likely, any more than those who lived three centuries ago, to confine themselves to mere words, if their power were, in these days, equal to their will. —*Note by Dr. Whateley.*

With respect to strictly ecclesiastical affairs—to matters which do relate directly to religion, I admit that there is an incongruity in admitting any one, whether Christian or not, to have a share in the government of a church of which he is not a member; and I take this opportunity of declaring my opinion upon that point to be, that the purely ecclesiastical concerns of the Church, as distinguished from the secular, ought to be intrusted to the care of some persons, whether called Commissioners, or by whatever other name, appointed expressly for that purpose, and who should be members of that Church. But with respect to civil concerns, I do not see that we are justified in excluding from a share in making the laws which they are to obey, or in imposing the burthens which they are to bear, any set of men, whatever their religious tenets may be, until it can be proved that they are likely to abuse their power.

It has been urged, however, that, over and above all considerations of self-protection, the Jews are under God's curse—that they are suffering a Divine judgment—from the effects of which we must not attempt to rescue them. It is true, that they are nationally, under a judgment. I look on that nation as an extraordinary monument of the fulfilment of prophecies, and as paying the penalty of their rejection of the Messiah. But we must be very careful how we, without an express Commission, take upon ourselves to be the executioners of Divine judgment, lest we bring a portion of these judgments on ourselves. We are not to act on the will of the Lord, according to our own conjectures as to his designs; but according to the commands he has expressly given us.* If we justify the exclusion of the Jews from a participation in those civil rights which the rest of us enjoy, on the ground that we are thus fulfilling the judgment of divine providence, we must remember, that on the same plea the infernal cruelties committed by the Romans and their allies, at the destruction of Jerusalem, might no less be justified. For these also were judgments prophetically denounced against the Jews. Nay, more; the Jews themselves would, on this ground, be justified for the very crime with which they are now upbraided, the crucifixion of Jesus: for this, also, was in accordance with prophecy, and in conformity with the divine will.

God's will, we are sure, must be done, and his purposes accomplished, without any need of our aid or consent; but we shall not stand acquitted before him, on the plea that we are fulfilling his designs, if we presume, uncommissioned, to execute the judgments he has denounced. If it be the will of God that the Jews should always be wanderers upon the face of the earth, we may feel assured that they will not long find a resting-place. Whatever the prophecies respecting them do really point to, we may be sure will come to pass. But it is plain from their having been actually received by some nations to a participation of civil rights, that their perpetual exclusion from such rights can have been no part of those prophecies. And certainly we have received no commission to exclude them. Their religious errors we cannot but condemn; but we must carefully guard against confounding together the two questions;—as to the right of punishing men for their religious errors, however great—and as to the right of defending ourselves against the consequences of those errors. To claim the former, is the very spirit of persecution.

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* The last clause of our 17th article seems to have been added in reference to such as might attempt to justify their own conduct, however immoral, by a reference to the decrees of Providence, on the plea, that whatever takes place must be conformable to the divine will. To "do the will of our Heavenly Father," must mean, to do what he, by the light of revelation or of reason, announces as required of us: otherwise, all men alike, whether virtuous or wicked, would be equally doers of his will. And where his will is not thus announced to us, our duty often leads us even to act in opposition to it. For every one would say, that a child, for instance, does his duty, in tending a parent on the bed of sickness, and using all means for his restoration; though the event may prove it to have been the will of God that his parent should die. Pilate, on the other hand, was, in a different sense, fulfilling the will of God, while acting against the dictates of conscience.—*Note by Dr. Whately.*

And if there be any such persons as persecuting Christians in this country, I scruple not to say, that I differ more from them in point of religion, than I do from the Jews themselves. The former believe, indeed, that the promised Messiah has arrived; but they believe in such a Messiah, as in truth never has appeared: they assign the name and the titles which belong to the true Jesus of Nazareth, to a phantom of their own imagination. Their Messiah is not that meek and humble Jesus who told Pilate that his kingdom was not of this world—who repressed the mistaken and intemperate zeal of his disciple, when prepared to fight for him, by bidding him put up his sword into its sheath;—who prayed for the pardon of his murderers;—and who, when his followers would have called down the fire of heaven on those who rejected him, rebuked them by saying, "Ye know not what manner of spirit ye are of." I maintain, then, that it is only on the ground of self-protection that we can be justified in imposing, or in continuing (which is the same thing) any restriction on any class of religionists.

But independent of the consideration of any apprehended danger, we are told, that we ought to look to the scandal—the indecorum—of admitting to form part of a Christian Legislature those who scoff at the Christian religion, and treat the founder of it with scorn, as an impostor.

Now, if any Jews openly insult our religion, they deserve not merely to be withheld from civil privileges, but to be punished; and under the existing law, they would be liable to punishment for molesting the worship of their neighbours. But if no such charge is established against them, it seems to me that the scandal lies on the other side. For we ought to consider, that this is not a Bill to entitle a certain number of Jews to a seat in Parliament as Jews; but to remove the restriction which prohibits Christians from electing, if they think fit, a Jew for their Representative. Is it not, then, a greater scandal, that we should think it necessary for the safety of Christianity to impose this restriction—a restriction not so much on the Jews, as on ourselves—to prohibit the people, if they choose it, from returning Jews as their Representatives? I do not place the question on the rights of the Jews; nor on their moral or intellectual qualifications, to which such high testimony has been borne by those of their opponents who have more knowledge of them than myself, but I place it on our own rights. For if any Jews are returned to Parliament, it must be by the choice of a great majority of Christian constituents. I own it does, therefoe, appear to me to be a scandal rather on our own faith, to consider it so frail and brittle as not to bear touching—to proclaim that Christianity is in danger unless the hands of Christians are tied to preclude them from the election of Jews.

I am not discussing the question whether the Jews are the fittest persons to be returned to Parliament; but whether Christians should be left free as to that question, or should be prevented from electing them if they think fit. This Bill, it should be remembered, differs materially, in this respect, from that by which the disabilities of the Roman Catholics were removed; because, by the latter, many persons, being already Peers, were, by that Bill, at once admitted to Parliament. That will not be the case in this instance; because no Jew can set foot in Parliament until he has been freely elected by a Christian constituency.

But, as I have already stated, I do not think that the Jews, any more than the Roman Catholics, or any Dissenters from the Established Church, ought to be admitted to legislate, as to matters purely religious for that Church. I think that everything relating to the spiritual concerns of the Church, should be intrusted to a Commission or to some body of men, members of that Church having power to regulate these concerns in such a manner as may be most conducive to the interests of religion, and to the spiritual welfare of the people. I cannot but think that the members of the Established Church ought to have the same advantage, in this respect, as the Methodists, Quakers, Moravians, and other dissenting sects; who are allowed to regulate the strictly religious concerns of their own religious communities, respectively, without any interference in respect of these concerns, on the part of persons of a different church. But no objection on this score can fairly be allowed to operate against the claims of the Jews, more than against various denominations of Christians; to whom the same objection applies with equal force, and whose claims have been already admitted. And I cannot but think, therefore, that Jews ought not, in fairness, to be excluded from all share in imposing the burthens which they are required to bear, and in enacting the laws to which they are to be subject, unless a much stronger case than any that I have yet heard can be made out for that exclusion.

The Earl of *Winchilsea* would never think of putting the Roman Catholics, who were Christians, on the same footing with the unbelieving Jews. He regretted, that this Bill, which was a tissue of blasphemy and impiety, was not spurned from the House when the first reading was proposed. Christianity was part and parcel of the law of the land; and he protested against that liberality, or rather infidelity in this country, which declared that there was no longer to be placed any value on that religion which was formerly our pride and hope, and under the influence of which we had so long prospered. The Scripture prophecies went beyond his comprehension, and he did not make them a ground of his opposition to the measure. But he addressed himself to a Christian Assembly, and he believed it was more than they dared, to sanction that measure, since by so doing they would offend their God. If Christianity was an advantage to the country, they were bound to uphold and support it. The Jews were under God's judgment, because they denied God. He did not think it necessary to grant them political privileges, and all other civil rights they enjoyed in peace, and security, the same as the rest of his Majesty's subjects. They were a monument of God's judgment, and an irresistible proof of our holy religion. In them were fulfilled the awful denunciations of the Scriptures. He called upon their Lordships, therefore, by the value they set upon the true religion, not to destroy that monument by making the Jews cease to be a separate people, and to show to their country and their God, that they disapproved of anything which tended to weaken their religion.

The Marquess of *Westminster*, after regretting, that scarcely one of his Majesty's Ministers was present, said, that he should support the Bill. The question had already been so fully discussed elsewhere that he did not think it necessary to go into any tedious details, nor to trouble their Lordships at any length. After the splendid eulogy which the most reverend Primate had passed upon the Jews, he felt surprised, at the Motion to reject the Bill. He really could not see any danger that would result from the passing of it, for he felt no alarm at giving political power to 30,000 or 40,000 Jews in a country where there were 8,000,000 of Christians. It had been urged against the measure, that the Jews did not press Parliament with petitions on the subject. That was no argument, for he knew that they felt the disabilities under which they laboured to be a very great grievance. The more any person or persons were excluded, the more popular and powerful they became. He was entirely opposed to the principles of exclusion—so much so, that he thought it unwise to attempt to exclude clergymen from the other House of Parliament. They ought to be capable of being elected by the common body of constituents. That the measure was not unpopular in the country, was proved both by the support the Bill had received in the other House, and by the petitions in its favour. It was only necessary that he should refer to that presented by the noble and learned Lord on the Woolsack, from the inhabitants of the City of London, signed by 15,000 persons, and to that presented by the illustrious Duke (Sussex), from the inhabitants of Westminster. There was a final reason why he supported the present measure—because he thought, that if the civil disabilities of the Jews were completely removed, there would be a greater chance of converting them. They knew also, from the Scriptures, that God was no respecter of persons, that he who worketh righteousness is acceptable to him, and he would not on this point depart from the principles of the teachers of our religion.

The Bishop of *London* said, since the ground on which he opposed the measure had been already so clearly stated by the most reverend Prelate near him, he should have but a very few words to say. He opposed the measure simply and solely from the duty he owed to the Constitution of the country. That Constitution, God be thanked, was a Christian Constitution. Perhaps he might be asked why so? Because Christianity was part and parcel of the law of the land. It had been argued, that no persons on account of their religious doctrines should be excluded from offices in the State. That entirely depended on the circumstances, whether it should be deemed by the State politic or not to exclude them. It had been at one time held politic by the State to exclude many classes of persons, in order to better uphold the established religion. Without reference to religion, it might be politic, merely for the protection of property, to exclude some persons from enjoying all the privileges which the State allowed to others. The State had a right to act on the principle of necessity. And in his opinion the State had done well in excluding from its councils those not professing Christianity. In the Statute-book of England there was nothing to be found that excluded persons from the State, because they did not profess to believe in the Gospel. He acknowledged that, but at the same time he thought the reason was, that since it was never contemplated that there would be such persons, no provision was made on the subject. It was for the first time that they were asked to admit such persons to legislate on all that concerned the country, and he begged to remind their Lordships that they might be called upon to consider whether the Christian religion were the true one or not. That alone was a reason why he opposed the measure. He apprehended no danger of being outvoted in Parliament by a few persons, nor did he apprehend from the Jews any malignant motives against the Christian religion. The danger he dreaded was, lest they should impress the people of England with the feeling that the Legislature was indifferent to the true religion, and he was sorry to see that indifference daily growing greater on the part of the Legislature towards the Christian religion, which was honoured and upheld by the nation. The lesser inconvenience that might be caused to a few individuals was not to be put into competition with the injury that any indifference of the Legislature towards religion would cause to that religion in the minds of the people. He would, therefore, call on the respectable body of persons who stood at the Bar of that House to waive their claims, when they considered the great inconvenience which would arise by granting them, to the established religion. He allowed their moral worth, for he had had under his care a large parish in which many of them resided, and he found them a most moral, liberal, and loyal class of persons; therefore, it was not without the deepest feeling of pain that he felt bound to oppose their wishes on the present occasion. From a regard to self-protection, identified with the Church, he opposed them, and if that Church were not protected, both by him and their Lordships as far as they could protect it, they would be guilty of a dereliction of their duty. It was from a fear of the danger that would result from breaking down the principle of a Christian Constitution, that he supported the Amendment of the most reverend Primate, and opposed the second reading of the Bill.

The Bishop of *Chichester* was sorry to differ from the right reverend Prelate; but both he and the most reverend Primate magnified the danger that might result from the success of the present measure, as well as the evils which would result to Christianity from admitting Jews into the Legislature. The Jews were the elder brothers of Christians, and he did not see much difference between them. He hoped they would soon be merged into the great body of Christians; and he asked whether such a consummation was most likely to be accelerated or retarded by measures of peace and conciliation? As he was of opinion that it would sooner come to pass by measures of conciliation, he could do no otherwise than vote for the present Bill.

Lord *Clifford* said, that he had listened with great attention to the arguments adduced on both sides. He was desirous to vote with the noble Lord who introduced the measure, yet he would not make up his mind so to do (though at all events he was determined not to vote against it), until he was satisfied upon one point. The point which he wished to be satisfied upon, and upon which he begged to question the noble and learned Lord upon the Woolsack, was this. Were Jews born in and to the privileges of the Constitution? If so, they were entitled to all the franchises of that Constitution, except some clear and especial case was made out against them. Such, he believed, was the opinion of several great men—Mr. Fox, among others—and such was the ground on which he wished to argue the question, He denied, that if persons were born to the privileges of the Constitution, there was any right to deprive them of those privileges, on the ground that they did not profess the established religion of the country. The Christians were too strong to fear any danger from the Jews; and if there was even any danger, their Lordships would be unworthy of the name of legislators if they allowed themselves to be dictated to by any body of men.

The *Lord Chancellor* said, that he was unexpectedly called upon to decide a question of great importance and difficulty. He was therefore unwilling, at so short a notice, to discuss at any great length questions of a polemical nature, or to enter on the abstruse principles of political right. But as he held, if he understood the noble Lord's question right, it would not be necessary for him to go to such lengths, neither should he be required to enter deeply into a question of a polemical nature, nor into abstract legal discussions—he thought he might, without running the risk of bewildering himself, or their Lordships, answer the question. He moreover promised their Lordships that he would not detain them long. He felt no hesitation in answering the noble Lord's question—nor in saying that it was not only his own opinion, but likewise that of the soundest lawyers of the country—that his Majesty's subjects professing the Jewish religion were born to all the rights, immunities, and privileges of his Majesty's other subjects, excepting so far as positive enactments of law deprived them of those rights, immunities, and privileges. Some difficulties had been raised as to whether the Jews ought to be considered as natural born subjects of his Majesty, and there were some authorities for holding the Jews, not only as aliens, but as in a state of perpetual hostility to Christianity. Those opinions in practice and in effect were now exploded. And he had no doubt, that he should in vain, were he so disposed, contend in any Court of Justice or Equity, that his Majesty's subjects who professed the Jewish religion ought to be holden as aliens and as enemies. The common law and the Statute Book said the same, and the latter contained enactments evidently for the purpose of relieving this class of his Majesty's subjects from certain statutory burthens imposed on them, but which were originally intended to strike at another class of religious dissenters. He alluded to the Acts levelled at the Jacobites. But by the Act of the 10th George the 1st, the Jews were relieved. Having said thus much in answer simply to a question of the noble Lord, he would shortly state his opinion on the Bill introduced by his noble friend. He had already stated one chief ground on which he was prepared to support that Bill. He considered it a fundamental doctrine in political matters, that no person should be excluded from any right or privilege of a purely civil and secular nature, in respect of the religious belief he honestly and conscientiously entertained. He also admitted, (and it was not inconsistent in him to do so,) that the supreme power of the State had always the right, for the preservation of the State—for its interests, and in order to consult its safety—it had the right, and it was lawful for that supreme power, to lay under disqualification, *quoad* civil rights, any part or any class of its subjects. If the preservation of the Monarchy, Constitution, and the State, could only be secured by a temporary suspension of the rights of the subject, the supreme power could exercise the right of suspension, still only for a short time, and it was necessity only—the strongest necessity—that could justify it in exercising that authority. There was another reason why he objected to the laws of disqualifications. The reason was, that they must of necessity be limited in their effect, not to say entirely ineffectual. Let their Lordships but look for the moment at the consequences of this system of disqualification. The man of tender conscience and truly upright and honourable feeling was excluded and disqualified, whilst to him who disregarded such obligation, and who possessed a convenient conscience, all offices of the State were perfectly open. Thus it was that these laws proved a heavy burthen to the conscientious, whilst on those not so deserving confidence, it scarcely imposed the weight of a straw; and thus it was that laws, framed avowedly for the support of religion and morality, had a tendency to encourage men who undervalued all religion and all morality. It had been an argument much used on this question, that, as a Christian Legislature, making laws for Christian people, in a country where Christianity was part of the law of the land, they were bound to refuse admittance into that

Legislature of all persons not professing that religion. In answer to this he would observe, that the Christian religion certainly was, in a sense, part of the law of the land, but it was not the Christian religion in the abstract; no, it was the Christianity of the Church of England by law established. It was not the Christianity of the Unitarian, of the Presbyterian, or even the Baptist, much less was it the Christianity of the Roman Catholics—none of these were part of the law of the land. The Christianity of the Church of England was the only Christianity recognised by the law; and yet he was glad to say that to all the other unrecognised sects, every office of the State was open. The Catholic, a member of another, and, for the sake of argument, he would say a hostile Church, was admitted to either House of Parliament, or to a seat upon the Bench; and yet no man could reasonably say, that in repealing the last remnant of the penal laws by which the members of that religion were affected, we had declared war against the Church of England, or made Christianity cease to be part of the law of the land. He would ask their Lordships, when they spoke of the necessity for having a purely Christian Legislation in order to preserve a Christian system of law, to remember how useless and ineffectual was the abjuration on which they laid so much stress. Not only had they admitted Unitarians—not only had they admitted those who did not believe in the Son, but those even who did not believe in the Father; avowed Deists and professed Atheists had taken that abjuration, and had taken their seats in either House of Parliament. Persons even who had been stigmatised as infidels by Courts of Justice, had been found amongst their number. Their Lordships would easily remember the names of Lord Shaftesbury and Lord Bolingbroke, who made their abjuration in the true faith of a Christian, being, in his opinion, as much a believer in the true faith of a Christian, as any one of the Jews whom they wished to exclude, with this difference as regarded the latter, that he had an equal respect for the New Testament as the Old, and believed neither in the law of Moses, nor in the law of Christ. In their own immediate days, he, of course, presumed there were no such instances, but such instances had occurred in what might be considered as their times. However obscure the Records of Parliament were on this subject, the Records of Courts of Justice were somewhat more luminous. He would remind their Lordships, *inter alia*, of the notorious case of Mr. Wilkes, a man certainly of extraordinary talent, and who, in a civil capacity, was not undeserving of praise, and who was at all events, an instrument in the hands of others, of extending the rights and liberties of his fellow-subjects. But so far as related to his Christianity and morality, the noble Earl who so highly praised the Christianity and morality of Parliament, might almost be defied to produce an example of a man whose principles were more unchristian and immoral than those of that celebrated character. He did not go the entire length of those very extravagant panegyrics which had been indulged in by the noble Earl that night, on the moral and religious character of the people of Great Britain. He did not doubt that we had improved of late years, and that we were more moral and religious than we ever were before. But as for those pharisaical self-gratulations so much indulged in recently at public Meetings, in which we were described as the people, of all other nations, possessing the highest tone of moral and religious feeling, he could only say he hoped it was the case; but this was undoubted—that whether we were the most moral and religious people in the world or not, we, of all people in the world, were the most satisfied that we were so. Whether such an opinion came within the rebuke directed against him who praised the Lord because he was not like the publican, he should not then stop to inquire. Mr. Wilkes was certainly no favourable specimen of either morality or religion. Yet, convicted as he was by the Court of King's Bench, of blasphemy and obscenity, no objection was ever raised to his sitting in Parliament on those grounds—no objection was made to his taking the oath; and though he had heard many moral, religious, and political charges against that individual, he never heard that Mr. Wilkes was charged with hypocrisy for signing an abjuration according to a form of words by which he did not consider his conscience in the slightest degree bound. Their Lordships had heard much of the impiety of this measure, and they had been told, that all who supported such a measure were favourers of impiety and blasphemy. This was an argument, if argument it could be called, which had been urged with a vehemence and intolerance that surprised him. He defied the most ingenious man to twist any one expression or clause in this Bill into favouring impiety or blasphemy. He must say, that charges such as these ought not to be made in that House; they indicated a bad temper and a lack of discretion, which did not become them as legislators. They emanated from a spirit of intolerance and persecution, which he hoped would soon cease to exist. Those who made such charges could look only to their own personal views, and this was their doctrine:—That whatever they believed must be right, and that all who differed with them must be wrong—that all who maintained a different doctrine blasphemed theirs—nay, still more, that all who believed differently from them must not only be in the wrong, but must be insincere in their profession, for though they had a right to believe what they pleased, they had no right to believe what was wrong. These were the fundamental principles of bigotry and intolerance—this was the spirit recommended in the last chapter of that penal book, which they were that night called upon to abrogate. He begged to apologise for the length of time he had detained their Lordships. He was willing to concur with the right reverend Prelate who last addressed them; and if there were anything in this Bill to indicate the slightest disregard of the Christian religion, or if the passing of this measure for taking away the last remnant of that code which inflicted civil disabilities for religious opinions, could show, on the part of the Legislature, anything like a discountenancing of the Christian religion, he would be the last man in that House to lend it his feeble support. He had, however, a different opinion, and he pressed their Lordships to adopt the Bill, because he deemed it the best practical illustration of the pure principles of charity, which the Christian religion so strongly inculcated. He certainly should give the measure his cordial support.

The Duke of *Gloucester* regarded the present measure as one of the most awful that had for a long time come under their consideration. In a temporal point of view it was not of much consequence, but in a religious point of view, it was most alarming. The English House of Peers was a Christian House, and ought never to consent to the admission into the Legislature of persons of anti-Christian tenets. No man hated intolerance more than he did—no man was more inclined to give the Jew every conscientious indulgence than himself; but indulgence to conscience was one thing, and admittance to the highest offices of the State, another. He knew several individuals amongst the Jews; he had met with many of them at charitable institutions; and he believed them to be most respectable men; but he could not consent on that account that they should be permitted to legislate for a Christian country. With regard to the conduct of foreign nations, we were an independent people, and ought to act for ourselves. But still there appeared to be some mistake with regard to the treatment of Jews abroad. The fact was, that Jews in France were in the same situation as they were in this country—they were tolerated, but they were not admitted to the Chambers, nor to the higher offices of the State [*The Duke of Sussex intimated dissent*]. He begged pardon of his illustrious relative, but it was as he had stated. The treatment which the Jews received in Prussia and Saxony, was by no means so favourable as their treatment in this country. With regard to the argument of the noble and learned Lord, he contended that the House had not, nor could it ever have, any control over men who would violate their conscience; but such men he believed to be the exception and not the rule. The safest rule which, in his opinion, could be adopted, was to exclude from a Christian assembly all persons whose profession was not in accordance with the doctrines of Christianity.

The Duke of *Sussex* gave his noble relative full credit for the sincerity and honesty of his opinions, and claimed equal credit for himself. He took, however, a very different view of the subject. He was one of those who thought this question entirely a political and not a religious one. A most reverend Divine had mentioned in his works what was perfectly true, that the Jews had been visited with a certain curse; but it was also said in the Scriptures, "Woe" to those who carry that curse into execution, and he for one should be very sorry if their Lordships were to stand in such a position. Though he agreed with his noble relative that we were an independent nation, and ought to judge for ourselves, yet the proceedings of other nations were worthy of some consideration. And in France it would be found, not only that Jews had the rights for which they were now contending in this country, but that the Government appropriated a certain sum of money to the payment of their Rabbies. In Belgium this was also the case, for he had the pleasure of corresponding with a very intelligent Jew there, named Meyer, who had been Minister of Justice, and certainly, was one of the first lawyers of the Netherlands. He would venture to say, that a more enlightened jurisconsult was not to be found. Viewing the case as he did, and regretting that he differed from the noble Earl, whose honest sincerity he had often admired, he felt that in common justice to an intelligent, industrious, well-disposed, and ill-used race, he was bound to support the second reading of this Bill.

The Duke of *Wellington* observed, that the noble and learned Lord (the Lord Chancellor) had said, that it was incumbent upon those who opposed this Bill, to find reasons for their opposition. This he denied. He begged to tell the noble and learned Lord, that this was a Christian country and a Christian Legislature, and that before their Lordships could fairly be called upon to agree to a measure, which at the first blush appeared to invade the principles by which the Legislature had been hitherto guided, it was requisite that some case should be brought forward to prove the necessity of the Bill. The noble and learned Lord had compared the case of the Jews to that of the Roman Catholics; but it should be remembered, that there was an essential difference in this respect. The Roman Catholic Relief Bill was adopted, because it was thought no longer necessary to continue the restrictions imposed by law on the professors of that religion, who had previously to their imposition, enjoyed all the privileges of which they had been deprived. The Catholics had a heavy ground of complaint on that head, whereas the Jews had no such complaint to make; they had never enjoyed privileges, and therefore could not claim their restoration. The condition of the Jews had, in fact, been much improved. They were formerly considered as aliens, and from the reign, he believed, of Edward the 1st, to the Commonwealth, their residence in this country was forbidden under severe penalties. The case of the Jews, therefore, stood on a very different footing from that of the Catholics and other Dissenters, to whom relief had been afforded. The noble and learned Lord had referred to certain Acts of Parliament, by which certain indulgences were granted to Jews in the very words of the present Bill. But these indulgences were granted to Jews in the colonies—in Canada, Jamaica, and Barbadoes; and what was the reason for this? Was there no State necessity for it? Certainly there was. European inhabitants were required in the colonies, and English inhabitants especially; and it was in order to encourage their settlement in Canada, that by the 7th of George 3rd (he believed), these relaxations were made in favour of the Jews—relaxations which were also adopted in the other instances alluded to. But no such necessity existed in the present instance, nor did any reason, equally forcible, now occur. Indeed, no one noble Lord who had supported the Bill, had attempted to prove any necessity for it. They had heard of other countries. Buonaparte had granted great privileges to the Jews, it was true; but it was on reasons of strong policy, and not till he had carefully inquired whether there would be any danger in so doing. Whereas, here, there was not the slightest previous examination attempted. All that could be contended in favour of this Bill was, that the present was the age of liberal principles, and that this Bill suited the liberal principles of the age. The noble and learned Lord had contended, that by keeping up these restrictions, persons of tender conscience were excluded, whilst those who had no conscience at all, men like Shaftesbury and Bolingbroke, and Wilkes, were admitted. Certainly, there might be some persons of that kind admitted. There were men who would violate all rules, all oaths, and all safeguards; but that was no reason why society should relinquish those safeguards and securities which were, in the majority of instances, effectual. Whilst he fully admitted the respectability and propriety of conduct of a large portion of the Jewish nation, he could not, as a member of a Christian assembly, advise the Christian King of a Christian country to pass such a Bill. The noble and learned Lord had said, that the Christianity which was the law of the land, was merely the Christianity of the Church of England. He differed from the noble Lord, and thought that the law of England derived its code of morality from the Christian dispensation generally, and regarded that dispensation generally as part of that law. He felt it to be his duty to oppose this Bill.

Viscount *Melbourne*, intending to vote for the Bill, wished to say a few words in its behalf. The noble Duke had sought to establish a difference between the cases of the Roman Catholics and the Jews, because the former had previously enjoyed the privileges which they sought, whereas the latter had never been possessed of them. This was undoubtedly true. The Jews had been, it was admitted, subject to great persecutions in this country; but surely the noble Duke was not prepared to return to these persecutions, nor could he, on reflection, refer to the principles by which those persecutions were dictated, in order to justify the proceeding on similar principles at the present day. The noble Duke said, that no necessity had been shown for the present Bill, whilst he admitted that the necessity for such Bills had been shown in the case of the colonies. After all, the necessity to which the noble Duke referred, as justifying a similar measure towards the colonies, was but a mere instance of political expediency; and if the noble Duke once admitted political expediency as a justification, what became of those high-toned arguments about the desecration of the Christian religion, impiety, and blasphemy, which had been so vehemently directed against the vital principle of this measure, and made the ground-work of all the opposition to it? He believed the right reverend Prelate who spoke third in the debate, had taken the right grounds, when he said, that this was an alteration in the law for the purpose of removing disabilities, and that in such case the *onus probandi*, of sheer necessity, must be thrown on the parties opposing their removal. He grounded his support of the Bill on the Law and Constitution of England, and on the principles of justice, humanity, and common sense. The State was entitled to the services of every one of its natural-born subjects; and it appeared to him, that in all the debates which had taken place on this subject, one fundamental error had pervaded them. It was not the privileges and advantages of individuals which they had to consider—the deprivation of these did not form the great ground of complaint; on the contrary, the complaint was, that the privileges of the State, the welfare of the country, and the advantage of the community, were seriously injured by those restrictions. If any person should be excluded from an office in the appointment of the Crown, the prerogative of the Crown was so far curtailed, inasmuch as it could not select that person who of all men might perhaps be best fitted to perform the duties of that office. So if the people were prevented from choosing certain individuals to fill those offices to which their voice would raise them, it was the power of the people which was circumscribed and restricted. On this general principle, unless there were any particular reason to the contrary, the State ought not to be deprived of the services of any of its natural-born subjects. All disabilities he believed to be injurious, and in most instances, ineffectual. From this he should probably except the restriction as to qualification by property; because it was requisite that those who filled high offices in the State should be able to offer to it something like a guarantee for their respectability, and some proof that their interests coincided with those of the State itself. He, however, saw no reason whatever in the situation, character, or religion of the Jews, which made it advisable that they should not be admitted to a participation in those privileges from which, by law, they were at present excluded.

Lord *Clifford* wished merely to put a question to the most reverend Prelate at the head of the Church. The question was, did the most reverend Prelate consider the moral and social code of the Jews part and parcel of Christianity, in the same way as he (Lord Clifford) believed the most reverend Prelate considered the moral and social code of the Roman Catholics to be part and parcel of Christianity?

The Archbishop of *Canterbury* thought the noble Lord had put the question as though he (the Archbishop of Canterbury) had stated, that there was something immoral and anti-social in the Jewish code. He had used no expression of the kind, nor had he said anything about part and parcel, nor had he at all denied that the code of the Jews was practically consistent with the moral and social relations of Christians. He apprehended that the moral and social codes of Jews and Christians were the same; they differed only on points of religious belief; and he apprehended the sound believing Jew held the same moral and social code as the Christian.

Their Lordships divided—Contents (present 29; Proxies 25) 54; Not-contents (present 44; Proxies 60) 104; Majority 50.

List of the Not-Contents.

DUKES.
Cumberland
Gloucester
Beaufort
Wellington
MARQUESSES.
Abercorn
Bute
Cholmondeley
EARLS.
Denbigh
Winchilsea
Sandwich
Doncaster (Buccleuch)
Shaftesbury
Dartmouth
Aylesford
Wicklow
Caledon
Rosslyn
Limerick
Beauchamp
Orford
Rosse
VISCOUNT.
Combermere

BARONS.
Colville
Montague
Kenyon
Gage
Redesdale
Ellenborough
Colchester
Ravensworth
Forester
Melros (Haddington)
Wynford
Howden
Segrave
Tenterden
Godolphin
ARCHBISHOP.
Canterbury
BISHOPS.
London
Lincoln
Oxford
Rochester
Gloucester
Hereford

Proxies.

DUKES.
Richmond
Manchester
Newcastle
Northumberland
Buckingham
MARQUESSES.
Salisbury
Camden
Thomond
EARLS.
Abingdon
Home
Macclesfield
Graham (D. Montrose)
Hardwicke
De la Warr
Spencer
Bathurst
Norwich (D. Gordon)
Mansfield
Mayo
Lucan
O'Neill
Onslow
Clancarty
Lonsdale
Harrowby
Brownlow

St. Germains
Bradford
Eldon
Falmouth
Howe
Somers
BARONS.
De Roos
Walsingham
Southampton
Grantley
Douglas
Bayning
Carbery
Delamere
Heytesbury
Loftus (Marq. of Ely)
Arden
Sheffield
Ker (M. Lothian)
Maryborough
Churchill
Lyndhurst
Cowley
ARCHBISHOP.
York
BISHOPS.
Durham
Winchester
Exeter
Bangor
Carlisle
Bristol
St. Davids

Llandaff
Ossory
Lichfield and Coventry
Chester
Worcester

List of the Contents. *Present.*

DUKES.
Sussex
Cleveland
Somerset
MARQUESSES.
Clanricarde
Westminster
Queensberry
EARLS.
Gosford
Camperdown
Sefton
VISCOUNT.
Melbourne
BARONS.
Suffield
Bexley
Saye and Sele

Glenlyon
Montfort
Fife
Brougham
Dinorben
Auckland
Western
Holland
Stourton
Clifford
Willoughby d'Eresby
Poltimore
Panmure
ARCHBISHOP.
Dublin
BISHOP.
Chichester

Proxies.

DUKES.
Bedford
Portland
EARLS.
Burlington
Ferrers
Fingal
Cowper
Scarborough
Minto
Radnor
Oxford
Suffolk
Ranfurly

VISCOUNT.
St. Vincent
BARONS.
Kinnaird
Ponsonby
Stanley
Dacre
Foley
Erskine
Alvanley
Wenlock
BISHOP.
Norwich

[The Marquess of Lansdowne, who had two proxies, paired off in favour of the Bill with the Earl of Kinnoul, who also held two proxies, and who was opposed to the measure. Lord Plunkett paired-off for the Bill; Viscount Sidmouth against it.]

The following Protests were entered.

1.

Dissentient—1. Because the adoption of the Amendment, that this Bill be read this day six months, after the explanations that took place on the discussion of the Motion, that it be now read a second time, and upon the Amendment to that Motion, involves, in my opinion, the adoption of a principle by the House of Lords, which I hold to be fatal to the civil and religious liberties of my country, and to the civil and religious establishments founded at any period of this country for the maintenance and protection of those civil and religious liberties.

2. Because I do not think that I am at liberty to believe, so as to act upon that belief in my legislative capacity as a Peer of Parliament, that it is my duty to protect any Christianity of an undefined nature,

much less any Protestantism of an undefined nature.

3. Because I do not believe that I have any right to vote against the exclusion of any subject of the King of England, who, by his birth-right, which is the act of God, becomes entitled to British franchise, unless by some subsequent act of his own free will, he commits certain acts, or adopts certain principles, which render his exclusion from those franchises requisite for the preservation of the civil, or the religious liberties of my country; and that I have official and legal evidence of the commission of such acts, or adoption of such principles, and contumacious perseverance in them, after due citation to renounce them.

4. Because, in the instance of this Bill, I had the authority of the House of Commons, which passed it and sent it up to me, that it was not injurious to the civil and religious liberties of my country that my fellow-subjects should enjoy the franchises of the Constitution, in and to which they were born, although they subsequently had exercised their free will in the adoption of the Jewish religion, which I believe to be false and injurious to Christianity; as I also have exercised my free will in the adoption of the Roman Catholic religion, which the majority of my fellow-subjects believe to be false and injurious to Protestantism.

5. Because the adoption of the Amendment appears to me to cast an insidious, highly unjust, and extremely mischievous aspersion upon the Crown of England, inasmuch as there is not at present any Peer of England professing the Jewish religion, who would, as in the case of the Roman Catholic Peers, be restored *ipso facto* to the exercise of his hereditary rights in this House; and that, consequently, a rejection of this Bill by this House, after it has passed the House of Commons, seems to me to involve not only an injudicious opposition to the will of the people of England on the part of the Peers of England, but a distrust, for which no act of his present Majesty has afforded the slightest pretext, of the attachment of the Crown to the civil and religious liberties of this country, or to those civil or religious establishments which he is sworn to maintain in defence of those liberties.

6. Because, though I am not convinced that the civil and religious liberties of this country are essentially connected with undefined Protestantism, I am thoroughly and deeply convinced that they are essentially connected with an adherence to the Christian religion, as defined in Scripture in these words of the Divine Author of that one, true, and holy religion: — "All things whatsoever ye would that men should do to you, do ye even so to them; for this is the law and the prophets."—St. Matt. c. viii. v. 12.

"Hear, O Israel! The Lord our God is one Lord. And thou shalt love the Lord thy God with all thy heart, and with all thy soul, and with all thy mind, and with all thy strength. This is the first commandment; and the second is like, namely, this: thou shalt love thy neighbour as thyself. There is none other commandment greater than these."—St. Mark c. xii., v. 29, 30, 31.

It is, therefore, only inasmuch as any description of Christians adhere to the Christianity of the Established Church of England, not inasmuch as they adhere, or profess themselves to adhere, to any peculiar tenets of their own, that I hold them competent to the duty of Legislators in the Christian and Parliamentary Constitution of my country. (Signed) CLIFFORD.

2.

Dissentient—1. Because it appears to me irreconcilable with the rules of natural justice, and with the maxims of political wisdom, as well as repugnant to the spirit both of the institutions under which we live and the religion which we profess, to exact, unless under the pressure of necessity and for self preservation, any negative or positive test of a man's religious faith, either as a qualification for his serving his Prince or country in a capacity purely temporal or political, or as a condition to his enjoyment of those privileges to which his faith and allegiance would otherwise entitle him. The general injustice and impolicy of all such exclusions are obvious, whatever principles of civil policy we adopt. If civil government be originally founded, as writers of great authority* have contended, and as the laws† passed at the Revolution of 1688 seem to acknowledge, on a contract between the people and their government, it follows that all from whom allegiance and obedience are exacted, are *prima facie* entitled to the privileges secured by the contract as birthrights to the members of the community to which they belong. It is true, that the perpetration of crimes, and even some special or peculiar circumstances, may, in particular instances, or for a season, justify the suspension of such privileges. But the burthen of proof is in all such cases thrown upon those who enforce or maintain the exception, and not on the party who claims the benefits of the general rule. In like manner, if, according to other prevalent‡ and more recent notions, utility alone be the principle from which the reciprocal duties of prince and people, of government and governed, can be deduced, it is equally clear, that the application of that principle will confer on all from whom allegiance or obedience is expected, such privileges and rights as are found generally useful in insuring the affection of the subject to the State, unless some special or temporary circumstances should intervene to render the suspension of the said rights and privileges in the particular instance expedient or necessary. But the burthen of proof in this, as in the other hypothesis, is thrown upon those who enforce an exception, not on those who solicit the benefit of a general rule. That the genius of our Constitution is to admit all from whom it exacts the duties of allegiance to the full enjoyments of political rights, and especially that of an eligibility to offices and trusts of political power, is an axiom abundantly sanctioned by history and authority, and practically manifested by this striking fact, that no subject of the British Crown is or has been incapacitated from holding such offices or trusts, except by the operation of positive statutes, and that the common law of the land, which, in the language of the great Lord Mansfield*, "never fails to work itself pure by rules drawn from the fountain" of justice, would, if unrestrained by statute, secure to every free-born subject within the realm, the entire right of serving his Prince and country in any office or trust merely political and temporal, to which the favour of his Sovereign might legally appoint, or the confidence of his fellow-subjects duly elect him. This view of the Constitutional right of the natural born subjects of England is repeatedly confirmed by Acts and declarations in Parliament, especially in the conferences which took place between the two Houses in 1702, upon a difference relating to the Bill of Occasional Conformity, then pending in Parliament. Upon that occasion the Lords solemnly recorded their opinion, "that an Englishman cannot be reduced to a more unhappy condition than to be put by law under an incapacity to serve his Prince and country; and, therefore, nothing but a crime of the most detestable nature ought to put him under such a disability." And the Commons, though they deny the conclusion drawn by their Lordships from these premises, yet distinctly admit that an Englishman "is, indeed, reduced to a very unhappy condition who is made incapable of serving his Prince and country."

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* Locke. † Vide Bill of Rights.

‡ Paley, Hume, Bentham, and others.

That the spirit of a religion which inculcates universal charity, and teaches us to "love our neighbours, and to do unto others as we would that others should do unto us," must be averse to all exclusion of our fellow-subjects from the benefits generally extended to their countrymen, except on the proofs of necessity, will not, I presume, be disputed, and might be inferred by sundry texts and parables drawn from the Holy Scriptures themselves, as well as by quotations from the earliest and most approved fathers of the Church.

2. Because a Jew born within the King's allegiance is, to all intents and purposes, an Englishman, and, therefore, entitled to all the rights of a natural born subject, save and except such as may, by the operation of statutes actually in force, be withheld or denied him.

The legal designation of a natural born subject sufficiently indicates that birth, not parentage or religious faith, entitles him to the privileges appertaining thereunto. The notion founded on a passage of Lord Coke's, that Jews, though born in England, are on the footing of alien enemies, or stigmatized and infamous persons, has been ousted by common sense, reason, and practice, by dicta solemnly pronounced from the Bench, by words in Acts of Parliament, and by decisions in Courts of Justice.

English Jews, born in the allegiance of his Majesty, cannot be subject to the privations and disabilities, any more than they can be entitled to the exclusive jurisdictions, exemptions, and privileges, which they are said to have enjoyed before the expulsion of persons professing their faith, in the time of Edward 1st. The passage of Lord Coke, which was written while the law of banishment, and no other relating to the Jews, was in force, could not be meant to apply to Jews born in England, for, in the persuasion of the writer, there was then no one such. It has, moreover, been declared, in the course of a solemn judgment in the Exchequer Chambers (Omychund *v.* Barker), by Chief Justice Wilkes, to be contrary to religion, sense, and humanity, and in that opinion not only the Solicitor General Murray, but the Judges there present, including Chief Baron Parker and Lord Chancellor Hardwicke, seem to have concurred. English Jews have been recognised and described as his Majesty's subjects in more than one statute; and by an Act of 10 George 4th, cap. 4, they are authorized to exempt themselves from registering their real and personal property by taking the oath of abjuration, without the words of "upon the true faith of a Christian." A provision of indulgence and relief, which not only recognises them as natural born subjects, but manifestly implies their right of holding real property. That right if never solemnly adjudged, because never regularly disputed, has been virtually admitted by various judicial proceedings, where the sale and purchase of lands by Jews have been brought collaterally before the observation of the Courts.

3. Because the words in the oath of abjuration which renders Jews scrupulous of taking it, are not in the substantive part of the oath, and were not introduced with a view of confining the benefits arising from taking it to Christians, or of excluding Jews from office or from Parliament. And the same words in a declaration required by a more recent statute to be made on the acceptance of office, were introduced into an Act which had for its object the relief of Protestant Dissenters, and not the extension of any disabilities and penalties to other classes of his Majesty's subjects. It seems, therefore, unreasonable as well as unjust, that men should be exposed,

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* Speech in Omychund *v.* Barker, Alkyas's Reports.

by a side-wind, to disabilities reserved in the language of our ancestors for crimes of a most detestable nature, by the accidental operation of provisions directed to other purposes, and adopted without any view to that effect by the Legislature.

4. Because, even if reason and law did not teach me to consider all unnecessary exclusions on the ground of religion as acts of persecution and injustice, I should still question the generosity and wisdom of refusing to the supplications of the weak that relief from disabilities which has been recently, and in more than one instance, accorded to the no less just, but far more peremptory, demands of the strong, the powerful, and the numerous.

(Signed) VASSALL HOLLAND.

August 2, 1833.

HOUSE OF COMMONS,

Thursday, August 1, 1833.

MINUTES.] Papers ordered. On the Motion of Mr. LITTLETON, the several Bills of Costs furnished to the Crown in all Cases, since 5th July, 1831, by the Crown Solicitors in Ireland, with an Account of all Monies paid on Account of them.—On the Motion of Mr. FINN, an Account of 1st. The Balance arising from the Remittance of Public Money to and from the Irish and British Exchequers, from 1793 to 1833: 2nd. Also, the Debts of Great Britain and Ireland, in 1792, 1801, and 1816: 3rd. The total present Expenditure of Ireland, including Debt, Army, Pensions, Civil List, Miscellaneous Estimates, and all Disbursements payable out of the Imperial Revenue: 4th. The Revenue of Ireland, and of Great Britain, in the years ending 5th January, 1801, and 5th January, 1817: 5th. The Exports and Imports of Great Britain and Ireland, in Official Value, in the years ended 5th January, 1793, 5th January, 1801, and 5th January, 1817: 6th The Consumption of Wine, Spirits (Foreign and Home-made), Sugar, Coffee, Tobacco, Tea, and Malt, in Great Britain and Ireland, in the years ending 5th January, 1801, and 5th January 1817: 7th. The Tonnage of the Irish Ports in the last year.—On the Motion of Mr. HUME, the Number of Africans Liberated and Landed at Sierra Leone, since the Abolition of the Slave Trade: also Copies of the several Minutes of Council made at the Presidency at Madras by Sir Thomas Munro, Mr. Lushington, &c. on the subject of Extending the Trial by Jury to Natives in Criminal Cases.—On the Motion of Mr. O'DWYER, the Names of all Captains and Commanders of the Royal Navy appointed to Ships, or to any Situations under the Admiralty, from July 1st, 1830, to July 1st, 1833, and of all Midshipmen now serving in his Majesty's Ships of War who had passed their Examinations for Lieutenants before 1823: also the Names and Rank of the several Officers Employed in the Packet Establishment at Falmouth, showing the Seniority and Services of each Officer together with the Pay and other Emoluments: of the Amount of the Freights of Specie carried by each Packet, between 1st January, 1832, and 1st January, 1833, showing the Sum received by each Commander of a Packet: of the Number of Passengers, &c., conveyed by each Packet, between 1st January, 1832, and 1st January, 1833.—On the Motion of Mr. Alderman THOMPSON, the Amount of Duty received from Sea Policies of Insurance, from January, 1832, to January, 1833: also the total Cost, Charges, and Expenses of the Coast Guard: of the Names of the Captains and Commanders Employed in the Preventive, or Coast Guard Service, on 1st July, 1833; and of all Captures and their Value, made by the Coast Guard Service since its Establishment.

Petitions presented. By Mr. HUME, from the Carse of Gowrie, for a Revision of the system of Taxation, and the Repeal of the Corn Laws.; from Arbroath, against the Bankrupts (Scotland) Bill; from Brechin, for a National System of Education; from the Glasgow Political Union, for the Repeal of the Act of Charles 2nd, which Restored to the Bishops their Seats in the Upper House; from Brockdish, for the Abolition of Tithes; from a Number of the Labouring Classes, for an Amendment of the Poor Laws. —By Lord ASHLEY, and Mr. TODD, from several Places, —for the Better Observance of the Lord's Day.—By Lord ASHLEY, from Cupar, in favour of the Factories' Regulation Bill; and from two Places in Dorsetshire, for the Amendment of the Sale of Beer Act.

EQUALIZATION OF SUGAR DUTIES.] Mr. *Ewart* rose to move a resolution, "that it is just and expedient to admit the sugar and coffee of our East-India possessions (the produce of free labour) on equal terms with the sugar and coffee of the West Indies and Mauritius." He referred to the grant which had only last night passed the House, which the present age deemed an act of generosity, which after-times might designate as an act of prodigality; but, under either title, the claims of the country for more unrestricted commerce were confirmed by it, and he thought it gave to the subject now before them a peculiar claim to the consideration of Parliament. The principle that no disadvantageous distinction of duty should prevail against our eastern colonies, was conceded in the case of certain articles. Why should it not be conceded in the case of colonial produce generally? Wheat and flour, the produce of India, came in under equal duties with the wheat and flour of Canada. Why should our East India sugar pay 32*s*., while our West-India sugar paid 24*s*. per cwt.? Why should the coffee of Hindostan pay 9*d*. per lb. while West Indian coffee paid only 6*d*., and East-India rum be liable (if introduced) to a duty of 15*s*. per gallon, while West India rum was admissible at 9*s*. 3*d*.? He called the attention of the House to the great difference in the amount of our East and West-India produce. Returns recently laid before the House showed, that last year, the West Indies and Mauritius sent us about 4,000,000 cwt. of sugar, while the boundless regions of India sent only about 88,000cwt. So of coffee. The coffee last year imported from the West Indies amounted to about 24,500,000 lb.; while all the coffee imported from our eastern colonies did not amount to half that importation. Was there not a probability that a diminution of duty would increase the supply from India? He would refer, as an illustration of that supposition, to the immense increase of sugar in the Mauritius since the reduction of the duty on Mauritius sugar, in 1825. The production in the Mauritius was now nearly five-fold what it was in that year. With regard to coffee, it was a common subject of observation, that, since the duty was lowered to 6*d*. per lb. in 1824, the consumption had immensely increased. But, if there had been no restrictive duty, he (Mr. Ewart) maintained that the increase would have been much more considerable. The demand of the consumer of this country was pent in, and circumscribed within the narrow limits of the West Indian supply. The consumption would have been much greater but for this restriction. The consumption of the United States had enormously increased, and far exceeded our own. This he attributed to the reduction of the duties, and the freedom of the trade in that country. Almost all the foreign coffee which we import into this country is now re-exported: very little enters into home consumption. Formerly the greatest portion of our West-Indian coffee was re-exported: it now is almost the exclusive support of our home-market. The country, he maintained, would use more coffee if it were more liberally admitted. The consumption was limited, simply because coffee could not be procured with facility, not because the people did not want it. He maintained, that Brazil coffee and St. Domingo, of equally good quality with Jamaica coffee, could be supplied to this country one-third cheaper than the coffee of Jamaica. He asked why they did not give facilities to the admission of both the sugar and the coffee of those countries? Why, above all, did they not give facilities to the admission of those articles from Hindostan? The connexion of that great region with this country, gave it a peculiar claim to every possible relief. It might be said, that India could not supply us with sugar or with coffee. If so, why need our West-India colonists fear its competition? But, if there ever was a time, when it was expedient to encourage the labour of India, it was now, when that vast country was opened to British enterprise, industry, and science. He (Mr. Ewart) thought that the cultivation of sugar and coffee in India might be materially increased. He drew his inference on this subject from the evidence now on the Table of the House. Dr. Wallick, an eminent naturalist, when examined before the revenue sub-committee on the affairs of India, was asked "What are the products of India most likely to be of commercial importance?" He answers "Sugar, cotton, coffee, silk, indigo and tobacco." "Do you name them in the order of their importance?" He answers, "I place sugar before Indigo, because indigo is limited in consumption; sugar perfectly unlimited." Mr. Gisborne (a most competent witness) says, that the sugar cane of India is as good as that of the West-Indies. Mr. Holt Mackenzie (a most distinguished witness) says "as far as my judgment goes, the manufacture of sugar appears to be very ill-conducted in India; and the land for the sugar-cane is very abundant." He conceived that the produce of sugar might be extended by a proper mode of manufacture. Other witnesses (both before the Lords and Commons) gave similar evidence. With respect to coffee, it was originally itself an eastern product. The first coffee taken to the West Indies was conveyed by the Dutch from Batavia to Surinam. Mr. Sullivan (in the evidence before the committee in 1831) is asked, "Has the cultivation of coffee been introduced among the Ghauts?" He answers "To a very considerable extent, and it is found to answer extremely well." Other witnesses gave similar evidence respecting Coimbettore. Dr. Wallick also said, that the lower provinces of Bengal and the Burmese territories, were particularly suited to the growth of coffee. The truth was, that time alone was requisite for the extension of these productions. For this very reason we ought to give immediate facilities for the cultivation of them. But he (Mr. Ewart) asked for these facilities on another ground. Had not the people of England a right to the best procurable article at the lowest exchangeable price? Had not our merchants this right, as an exchange for their exports?—our manufacturers, as an exchange for their fabrics? Above all, was not this concession due to the consumer? If there was one disease of our commerce more peculiar than any other, it was the difficulty of procuring returns. It appeared by the petitions before that House, that, while we exported 3,000,000*l*. worth of our manufactures to Brazil the high duties on Brazilian produce enabled us to bring back very little in return. Foreign merchants and foreign vessels displaced our own. Why did we not give facilities to the importation of the sugar of Siam and of China? Sugar was successfully cultivated in those countries. Sugar refining was first practised by the inhabitants of the province of Fokien, in China. But, above all, he asked, why we did not give facilities to the labour of India? It had a paramount claim on our sense of justice, as well as on our feelings of personal interest. The simple and primitive manufactures of Hindoostan had been overwhelmed by the gigantic machinery of Manchester. The capital and skill of England had supplanted the early and rude productions of unimproved art. If we had deprived the Hindoos of the resource of their simple manufacture, ought we to deny them the privilege which nature gave them, of supplying us with the growth of their fertile and unbounded plains? He appealed to the Parliament of this country,—he appealed to the Government on behalf of India as well as of England; and, he believed, that though not at first entirely successful, he should not finally appeal in vain. He concluded by moving the resolution.

Lord *Althorp* considered the motion to be one of that kind which it was desirable the House should not entertain. He thought it would be most inexpedient for the House to come to a decision on this question at the present time. It was, as yet, impossible to foresee what might be the effects of the measure for the abolition of slavery in the West Indies, and, therefore, he thought it would be premature for the House to legislate at the present time, on the subject introduced by the hon. Member. In former times, when this question had been brought under the consideration of the House, the case stood in a very different situation from that in which it was now placed. At those periods the sugar of the West-Indies very much exceeded in quantity the consumption of this country, and he therefore always thought that the proprietors of the West-Indian colonies were more apprehensive than necessary, of the admission of foreign sugar. The price of their sugar in this country depended on the price which sugar bore on the continent; and, therefore, they had no effectual monopoly in this country. The case had now, however, assumed a very different appearance. In consequence of the operation of the Slavery Abolition Bill, there might be a great falling off in the production of sugar, and it would not be wise to legislate on this question until the effect of that measure was seen. The hon. Member might, perhaps, say that his Motion went merely to declare the expediency of equalizing the duties on sugar and coffee; but he (Lord Althorp) need not tell the hon. Gentleman, that, if the House carried his Motion, it ought to be followed by some practical effect, and that must be an alteration in the existing law. He trusted, therefore, that the House would not, by acquiescing in the Motion, bind itself at the present moment to any alteration of the law. He did not mean to give any opinion, or pledge himself in any way on this question; and not wishing to meet the Motion with a negative, the only mode left him of dealing with it was by moving the previous question.

Mr. *Lyall* supported the original Motion. Justice to India, the markets of which were completely glutted with British manufactures, demanded its success. He was determined next Session to bring the whole question of the fiscal regulations, between this country and India under the consideration of the House.

Mr. *Davenport,* as the representative of a populous and extensive manufacturing district, felt bound to support the resolution of the hon. member for Liverpool, but he would only trouble the House by referring to one of those simple facts to which the hon. Member had drawn the attention of the House. In that populous district which he had the honour to represent, the articles of sugar and coffee, and he might also add tea, had become almost as much the necessaries of life as the article of bread itself, and he should, therefore, vote for any measure which would tend to give them at a cheaper rate. He confessed he felt some alarm when he heard the noble Lord (Althorp) give notice that he should provide for the large sum voted to the West-India interest, by a duty on colonial produce, but he entreated the noble Lord, if such was his intention, that the articles of sugar and coffee might be exempted. Another important object to which he begged attention, and he thought the House would consider it deserving of attention, was, that cheap sugar, and cheap coffee and tea, would do more towards remedying the evils of beer-shops and gin-shops than any other measure whatever. On these grounds he should vote for the resolution now before the House.

Mr. *Poulett Thomson* said, that he quite agreed with the object proposed by his hon. friend's resolution, for he thought that it would be inexpedient eventually to prevent the East-India merchants from sending over produce on the same terms as West-India merchants; and he only opposed its adoption because he considered that present circumstances were not propitious to its being followed up.

Mr. *Ewart* was rejoiced to hear the noble Lord was not pledged on this great question. Relying on the practice as well as the professions of the Government, he would trust to that assurance, and not press his motion to a division.

Motion withdrawn.

CORPORATIONS.] Mr. *James Kennedy* hoped, that, in consequence of the Motion he was now about to bring forward, he should obtain from the Ministers a satisfactory explanation of the course they intended to pursue. Though there were many evils in this country, some of which were more burthensome perhaps than those of Corporation abuses, there were none which more required remedy. The existence of these evils, and their nature had already been shown by the Committee which had sat on this subject. In his opinion they could only be remedied by a reform similar in spirit to that which had taken place with regard to the election of Members of Parliament. His plan, therefore, was, to give to every 10*l.* householder who had a right to vote for representatives the right of voting for the Magistrates who were to administer the laws of the particular district in which he resided. At present, the local Magistrates were generally appointed in consequence of a system of nomination; and being perfectly irresponsible, were able to abuse the powers with which they were intrusted. In whatever was proposed for the public advantage, especially in the way of improvement of what was old, they did not meet the people with a becoming spirit. The effect of his plan would be to remedy this evil. He was aware, that this was a late period of the Session at which to introduce such a proposition, but he thought that it was not too late for them to express their opinion on the subject. This was not a Resolution pledging the House to any particular course, but he had a Bill which he hoped the House would allow to be introduced and read a first time, that the country might have sufficient reason to believe that some measure of the same kind would be introduced in the early part of next Session. He hoped, that the Ministers would then take up the subject, and promise a measure of at least as much efficiency as that which he wished to introduce to their notice. He was quite sure that the Motion he was bringing forward was in accordance with the wishes of the people generally, and of his own constituents in particular; and if in pressing it for their consideration he was going further than was consistent with his own individual interest, he hoped his constituents would consider it as an instance of his readiness to sacrifice that interest to their advantage. The hon. Member concluded by moving for leave to bring in a bill to give to those having a right to vote for Members of Parliament the right of electing the Magistrates of their Corporation.

Colonel *Seale* seconded the Motion, and observed, that this Corporation Reform would carry into full effect the object of the Parliamentary Reform Bill. Corporations would then be more likely than they were now to second the views of a popular Minister.

Mr. *Vernon Smith* submitted to the hon. Member opposite to consider whether it was worth while to press this Bill upon the House. To some of the propositions of the Bill he should decidedly object; and he confessed at once, that he had no wish to give a political bias to Corporations. There were especially two grounds of objection to the Bill—first, that it was proposed to be confined to boroughs having the right of returning Members of Parliament; and secondly, that it was not meant to extend it to Ireland. He thought, that before any measure on this subject was agreed to, they should wait for the Report of the Commissioners to inquire into Corporations. But for these general reasons, he should not wish to delay the Bill, for it was one that would completely suit the opinions of the constituency he had the honour to represent. But he thought they should not legislate without information, when they had the means of obtaining it. The Commissioners would give them a valuable fund of information, by the aid of which they might be able advantageously to legislate next Session.

From the specimen they had before the Corporation Committee, he believed there would be plenty of evidence; but if persons belonging to Corporations attempted to withhold their evidence, he trusted the Commissioners would strongly notice the fact. For himself, he should consider their wilful silence to be evidence against, and should so report it, of course not intending the House to be finally bound by the Report. Another objection to this Bill was, that it would not be applicable even to all the represented boroughs. Berwick was an instance of this—it was as republican a borough as could be wished—yet that Corporation required Reform. The Corporation of Berwick paid all the taxes out of borrowed money, and kept all the revenues to themselves. Again, he urged the necessity of delay, till full information was obtained.

Mr. *Parrott* said, that a great deal of interest was felt throughout the country on the subject of this Motion. He trusted that his Majesty's Ministers would take effectual measures between this and the next Session of Parliament, to prepare a remedy for the abuses of Corporations; for these abuses were, in many cases, very great. No individual would be more grateful to Ministers than himself, nor any constituency be more pleased with such a measure than that which he had the honour to represent.

Lord *Althorp* said, that his object in moving for a Committee this year was to lay the foundation for such a measure. A Commission was now appointed to inquire into the existing nature of Corporations, and he hoped that their inquiries would be made and concluded before the next Session of Parliament. No man could be more convinced than he was of the necessity of making a Reform in Corporations, and he should be sorry to remain a member of any Government who would not attempt it.

The *Solicitor General* thought, that the state of the new constituencies should be placed within the scope of the inquiries of this Commission. The borough which he had the honour to represent did not labour under the evils of the old Corporations, but it stood in need of a new constitution. There were Magistrates connected with that borough against whom he would say nothing, for they were not present to defend themselves. It appeared to him, however, that a new constitution was necessary for that borough. There was no returning officer for it save the nominee of the Sheriff. Now, several evils arose from that circumstance; at the last election, between the day fixed for the election and that fixed for the poll, the person nominated by the Sheriff met with a serious accident, and from his being unable to act, there was great danger that the election would be voided. Expresses were instantly sent to the Sheriff; but even then there was a doubt as to the validity of a return made by other persons than the first nominee. Now, he thought that there should be a mayor of Dudley, to prevent the recurrence of such accidents, and he hoped before long that a good constitution would be given to such places as were not incorporated.

Mr. *Kennedy*, after what had fallen from the noble Lord, would withdraw his Motion.

Motion withdrawn.

CORPORATION OF DUBLIN.] Mr. *O'Connell* said, that something which had occurred in the discussion of the last Motion made him anxious to introduce the Bill of which he had given notice. It had been observed, that in the Bill that had been just now the subject of discussion, Ireland was not included. Why, the Corporations of Ireland were so various in their constitutions, that it was impossible for any general Bill to be made applicable to all of them. The Corporation of the city of Dublin depended upon no one single form of Constitution, but every form united; so that without putting an end to it entirely, and making another, there would be no means of making it the subject of a general Bill. But in his opinion this should not be done, for it had all the elements of good government, and they wanted nothing but the proper means of remedying particular defects. The objection to the Corporation was, that it was not the Corporation of the city of Dublin, but of a small part of Dublin. It was the Corporation of a persuasion and a party. The remedy was, to make it the Corporation of Dublin generally, for it was the inhabitants at large who were liable to be called on for the means by which the town was to be maintained and protected. The elections of Magistrates had been popular up to the time of the usurpation. Two or three attempts had been made to deprive the people of that power; but they had been defeated. At that time, however, the whole of the power of Government was thrown into the hands of the Board of Aldermen, who had, at the same time, the privilege of self-election given them; in other words, they filled up their numbers by their own election, in consequence of which the influence of the people over them was completely destroyed. Things continued in that state up to 1759, when the Legislature interfered, and gave the right of election of the Corporation officers to the citizens at large, but accompanied that gift with the condition of oaths, which prevented many from availing themselves of the privilege thus conferred. The Corporation had consequently become corrupt in two ways; first, by the gradual dropping off of the old freemen; and next by the manner in which the new freemen were made. The right of birth or servitude did not entitle a man to the freedom of the city. That freedom was in the gift of the Corporation; and no man could demand it as his right, but only as a matter of favour and grace. The consequence was, that the number of freemen became very small—there being only 1,900 registered freemen within Dublin, the city of the county of Dublin, and within seven miles thereof. Now, the population of the city of Dublin was 300,000; so that the House would see how small a proportion constituted the body that had the government of the city in their hands. Another feature which characterised the Corporation of Dublin, was its exclusiveness in matters of religion. The hon. and learned Member read an extract from the Report of the Commissioners, for the purpose of showing the evils which had arisen from that exclusiveness; observing, that all the Grand Jurors of the county and city were appointed by the Corporation, and that the Sheriffs were likewise their nominees. In the year 1792, Catholics, by an act of the Legislature, were rendered eligible to Corporate offices; but it was well known, that they had never been invested with any. To state briefly the objects of his intended Bill, he should just inform the House, that it embraced a plan for dividing Dublin into eight wards: that the basis of his proposed constituency would be 10*l.* houses—giving, he expected, in the first instance, an electoral body of at least five thousand. He proposed further, that there should be three Aldermen for each ward, and eight Common Councilmen; which, with a certain number of Common Councilmen elected by the Guilds at present existing, would give the present number of ninety-six Common Councilmen. The Guilds he should propose to retain, for the purpose of their regulating matters concerning their own trades respectively. His object, he begged it to be understood, in introducing this Bill, was not that it should be carried through in the course of the present Session; but that it should now be merely read a first time—that it should stand over till next Session—and hon. Members would, during the vacation, have ample time for considering its provisions.

Mr. *Littleton* said, that with the understanding that the Bill should not be pressed beyond the first reading during the present Session, he would not offer any objection. It might at first view appear, that one general measure might be made to apply to the case of Irish Corporations generally, but upon reflection he was sure it would be evident to hon. Members, that the case of Dublin required a Bill expressly for that city. He was sure, likewise, that they would agree with him in thinking, that for Dublin there was required such a Reform in the Corporation, as would insure for that body the respect and sympathy of the inhabitants of that city—a matter of peculiar importance in a country circumstanced as Ireland was. In saying thus much, however, he requested that it might not be construed into giving any opinion upon the provisions of the Bill.

Mr. *Shaw* said, that but for the speech of the right hon. Secretary for Ireland, he might have been satisfied with the reasons assigned by the hon. member for Northampton (Mr. Vernon Smith) on the last motion, against that now made by the hon. member for Dublin—for when it had been proposed to introduce a measure on this subject relating to England, the argument used on behalf of the Government was, that at the time a Commission was issued to make inquiry into Corporations it would be premature and absurd to legislate before the result of that inquiry was known. That, however, was equally applicable to the present case, and he would refer on the point to the Report of the Select Committee on Municipal Corporations, which stated, 'Your Committee 'are not enabled to offer any final suggestions as to the remedies which ought 'to be adopted; and being of opinion, 'from the defective state of their inquiry, 'that even those cases which they have 'examined ought to be subjected to further 'scrutiny, they have abstained from 'pointing out particular defects, or animadverting on particular testimony, while 'there is a possibility that a different 'colour may be given to the case by 'future investigation.' Yet while upon these grounds the Government very properly resisted the Motion of the hon. member for Tiverton (Mr. Kennedy), with regard to England, the right hon. Gentleman (Mr. Littleton) appeared so extremely anxious for the patronage of the hon. and learned member for Dublin (Mr. O'Connell) that while it was admitted the Bill was not to be carried into a law, nor to proceed a step further, the Government was a consenting party to its being printed under the sanction of the House—he (Mr. Shaw) presumed as a sort of written instructions by the hon. Member (Mr. O'Connell) for the conduct of the Commission that had been just appointed to inquire into the Irish corporations. He really must say, that a greater delusion was never practised than that Commission, if the pretence was, that they were to give an unbiassed opinion on the subject—for though he (Mr. Shaw) was free to admit their individual respectability, yet from the chairman, (his hon. and learned friend the member for Monaghan), down to the last named Commissioner on the list, there was not one of them who would not enter upon the investigation with his mind notoriously prejudiced, and his opinion completely made up against all Corporation interests and privileges. It would, in his mind, have been better had the Ministers at once taken upon themselves the responsibility of legislating against the Corporations, than have attempted this mockery of fair dealing to cover their real designs—and he should prefer, that the hon. and learned Member should directly nominate the corporate officers, to having those officers chosen by his irresponsible nominees—which would be virtually the effect of the plan the hon. and learned Member proposed. He would not so far countenance the sort of trifling which he considered the present course to be, between the hon. and learned Member and the Government, as to discuss the merits of a measure which there was no intention to proceed with. He would only remark, in reference to the observations of the hon. Member upon the officers appointed by the Corporation, that it could not be alleged, that they were in general found to neglect their public duties, and, as to the formation of the Juries he could say of his own knowledge, that many of that respectable class, of whose omission Mr. O'Connell complained, did not attend upon being summoned. It also would appear, that the increase of the presentments alluded to by the hon. Member, was principally on account of items over which the Grand Jury had no discretionary power.

Lord *Althorp* said, that the Government, in appointing the Commission, were influenced by a feeling, that they did not possess the necessary information, or the materials requisite on which to found an extensive measure of legislation. It was necessary that, in some way or other, that information should be obtained. He was, in the first instance, disposed to think a Committee the proper means of inquiry; but it was found, that a Committee could not exercise all the necessary powers, and, accordingly, that plan was given up. Subsequently a Commission was issued, and under all the circumstances, he was sure the House would agree with him, that it was calculated to answer all useful purposes. He was sure, that the Commission would report on matters of fact alone, and no men could be better qualified than the Commissioners were to accomplish the purposes for which they were selected.

Mr. *Lefroy* said, that the very grounds stated by the noble Lord (Lord Althorp) made it incumbent on him, if he had any regard for the consistency of his Government, to oppose the Motion of the hon. and learned member for Dublin. It was impossible for the House to legislate satisfactorily without inquiry, and if so, what was to become of this Bill after it should be laid on the Table? It was manifest, that at this late period of the Session nothing could result from it. It therefore appeared to him to be a most preposterous and childish course to adopt, to introduce a Bill for the sole purpose of gratifying the fancy of the hon. and learned member for Dublin. He (Mr. Lefroy) trusted, the right hon. Secretary for Ireland would not unite with the hon. and learned Member, and sanction the introduction of a Bill which had for its object the overthrowing of the Corporation of Dublin.

The *Solicitor General* did not agree, that it was an objection to a Bill that the hon. Member who introduced it did not intend to press it in the Session in which he brought it forward. He himself had found the advantage of such a course. He had brought in Bills at the close of a Session, not intending to do more by that than to put the House in possession of the nature and objects of them, by having them printed, and he was happy to say, that one of such Bills had lately received the Royal assent, and was now the law of the land; and he hoped, that the others would have a similar result. The case of the Corporation of Dublin was *sui generis*, and he did think, that without any interference with the Commission appointed, that case might be made the object of a separate measure.

Mr. *O'Connell*, in reply, bore testimony to the honour and integrity of the Commissioners appointed on the subject of Corporations. He admitted, that they were men not likely to mix up their political opinions with their public duties. Indeed, he was sure, from his own experience, that though men might be appointed from a coincidence in the political opinions of those who appointed them, it did not follow that they, in the discharge of their duties, would allow themselves to be influenced by any other feeling than by a conscientious discharge of those duties; and he would, as an illustration, mention the case of the hon. and learned Gentleman (Mr. Shaw, the Recorder of Dublin), who, though he might have been selected by a political body, acting in that selection from political feelings, had never, in any instance, allowed the discharge of his duties to be influenced by any feeling but that of a high sense of justice. As to bringing the Bill forward in the present Session, he would only state, that his object was to put the House in possession of it, and to give full knowledge of it to all parties concerned.

Leave given to bring in the Bill.

HOUSE OF LORDS,

Friday, August 2, 1833.

MINUTES.] Bills. Read a third time:—Dean Forest Boundaries; Holyhead Roads.—Read a second time:—Infirmaries (Ireland); Troopers Fund; East-India Company's Charter.

Petitions presented. By the Archbishop of CANTERBURY, from the Clergy of Kilmore, against any further Grants to the Irish Board of Education.—By Lord PLUNKETT, from Mayo, to Substitute Solemn Affirmations for Oaths; from Cookstown, for a further Revision of the Criminal Code.—By the Bishop of LONDON, from All Saints, Poplar, for Poor Laws to Ireland.—By Lord WYNFORD, from certain Individuals connected with the Victoria Theatre, and by the Duke of SOMERSET, from London and Westminster, in favour of the Dramatic Performances Bill.

DRAMATIC PERFORMANCES.] The Marquess of *Clanricarde* moved the Order of the Day for the second reading of the Dramatic Performances' Bill. Although this was rather a lighter subject than those which had lately occupied their Lordships' attention, yet when their Lordships considered the nature of the interests at stake they would not deem them of a light or trivial character. In the manner in which this question should be decided was involved not only the property but the very existence of a large number of meritorious industrious persons, persons who were compelled, of necessity, to do that which an injudicious law pronounced to be illegal, but which, far from being a crime, met with public approbation and support. The present state of the law was most injurious, and was decidedly opposed to public morality and to public feeling. He had heard one singular objection to the Bill now proposed—namely, that it would limit the prerogative of the Crown. If it would do so, he should be the last man to vote for it; but he must say, that this was one of the grossest errors and most extraordinary delusions into which he ever knew educated persons to fall. The fact was quite the reverse. It was utterly impossible, under the present law, that any new theatres could be erected. There were now many good theatres in London, at which rational entertainments were given, performing not only without a license, but (such was the law) without even the possibility of obtaining one. Was that a state of things which should be permitted? In the whole City of London, in the whole extent of the metropolis east of Temple Bar, no theatre could legally exist. This was a great and unjust interference with the rational pleasures and enjoyments of the public; and the natural consequence was, that unlicensed theatres had risen, and were publicly supported in defiance of the law. In these theatres rational and amusing performances took place, in consequence of which, the larger theatres sought to suppress them by enforcing the penalties. This, therefore, was one singularity of the case, that whilst these minor places of amusement gave only low and vulgar entertainments—whilst they were only the haunts of vice and idleness—the great theatres never gave them the slightest molestation; whereas, the moment they became respectable places, to which the intelligent might resort with advantage, the great theatres immediately attempted to put them down. How far the law which could sanction such proceedings was favourable to public morality and improvement, he would leave their Lordships to judge. The public had, however, taken a strong interest in the repeal of the law, as was evinced not only by the support afforded to the minor theatres, but by the petitions which had been laid on the Tables of both Houses of Parliament. Two Committees of the other House had sat upon the subject, and this Bill had been framed in compliance with the suggestions contained in the Report of the last Committee. The Bill proposed to enact, that there should be a free competition with respect to theatres; but there were various provisions in the Act to guard the public against any licentiousness, either in the performances themselves, or in the mode in which the theatres should be conducted. Indeed, one of the greatest complaints of the present system was, that no efficient control existed over the conduct of unlicensed places of amusement. The power of the Lord Chamberlain was merely permissive, and not preventive. He might grant or refuse a license, but with regard to those theatres which performed without his license, his power was no more than that of any common informer. It was indeed disgraceful that our theatres, even our great theatres, presented scenes of such unblushing vice, that no respectable man could take his wife or daughters through the lobbies and passages without the danger of beholding scenes which must shock their delicacy. Against this the present Bill would supply a remedy, by requiring that no play should be performed without the approbation of the licenser, and by enabling the Lord Chamberlain to inflict heavy penalties for misconduct. He did not participate in the fears of those who anticipated from this Bill an increase in the number of theatres, because several of those now performing without license, would doubtless, be suppressed, or at all events would not gain a license without some favourable change in their performances. He would now, for a few minutes, request their Lordships' attention to the character of the opposition made to this Bill. First of all, the great theatres set up a claim of monopoly. This was most absurd and untenable. By the 21st of James 1st, too, all monopolies were expressly prohibited; and therefore, could they now succeed in establishing their claim, it would, in his opinion, be at the risk of rendering themselves liable to the penalties of a *præmunire*. The noble Marquess then entered into the now well-known history of the patents granted to the theatres, and showed, that if a monopoly had ever existed, it had been violated over and over again in every successive reign. In 1690, upon an application of Betterton, the question of exclusive privileges was mooted, and negatived by the Crown lawyers of the then day, as it had also been by those of the present. Indeed the words of the patent which gave the exclusive privilege could only be construed as referring to the life of the patentee, inasmuch as the patent did not contain the words "for ever," nor "heirs and successors," nor any words of similar import. Their Lordships were also told, that this Bill disregarded vested rights and the rights of property. Now, he for one fully respected those rights. But let the House examine for a moment what was this property, and what were those vested rights, which were said to be placed in jeopardy. It appeared from evidence, that Covent Garden was 160,000*l.* in debt, whilst the investment of Drury Lane was 212,000*l.*, and of the debt 6,000*l.* remained, and when that was paid off, it was expected, that the shareholders would perhaps receive 2*l.* per cent, and no more, on their capital. It might be seen from this how much these theatres had flourished under the system which they wished to be continued. This was the valuable property of which so much was said; those were the vested rights they were called on to uphold. The proposition was absurd. The necessity of another theatre was felt, and had been proclaimed by Sheridan full twenty-seven years ago; and he warned the large theatres of what they might expect. It was very strange, certainly, that Drury Lane should take up this question, inasmuch as Drury Lane was at present performing under a license which was renewed in 1816. Another objection—

certainly a strange one—had been started, that this Bill would ruin the British Drama. Indeed! how many legitimate dramas had the great houses lately produced? What were the performances which, according to their own account, were remunerated. Was it the British Drama? No; but the Lions—the German operas, and French dancing. These were the only speculations that paid; and nothing could better illustrate the nature of the property than the praises so profusely lavished on an hon. Gentleman, lately a lessee, simply because he paid his rent. His loss was admitted to be no less than 10,000*l.* in one season. How, then, could it be said, that a monopoly was required to uphold the national drama? There were no monopolies in the days of Shakspeare, of Ben Jonson, of Forde, or of Massinger—in short, the dramatic literature of England never flourished more than when the name of monopoly was unknown. The great theatres wanted, he believed, to continue their monopoly, and to tax all the small ones for their advantage. But he entreated their Lordships to recollect that the persons interested in the small theatres amounted to between 2,000 and 3,000, who maintained themselves by their industry and their talents; and he trusted their Lordships would not consign them to ruin by continuing the monopoly of the large theatres.

The Earl of *Glengall* opposed the Bill, because it took away from his Majesty all his power to license theatres. by making it imperative on the Lord Chamberlain to license all the theatres, for which an application was made; and also, that the present owners of the patent theatres had purchased their rights, and it would be an invasion of property now to take them away. They had even been compelled by Act of Parliament to purchase Killegrew's patent for 60,000*l.*, and it would therefore be most unjust to deprive them of what they had bought. The noble Earl concluded by moving, that the Bill be read a second time that day six months.

The Bishop of *London* said, he never could allow a Bill of this description to be discussed without making some observations upon the effect which such a measure was likely to have upon the morals of the great city with which he had so important and so solemn a connexion. It was not his intention to take an active part either for or against the Bill, but he must say, that he could not help objecting against its preamble, which declared, that it would tend greatly to the accommodation of the public, and to provide them with innocent and rational amusement. Now he denied, that such an enactment would tend to improve the public morals, and therefore it was, that he objected to a multiplication of theatres. He should be as reluctant as any man to interfere with the innocent and rational amusements of the people, but his great doubt was whether this measure would not have a very opposite tendency to that of providing innocent or rational amusements. He would not advert to the question whether or not the prerogative of the Crown was invaded by this Bill, but he must say, that he thought the provision which not only directed but peremptorily required the Lord Chamberlain to grant licenses to a certain number and description of theatres was in absolute defiance of the authority of his Majesty. He was willing to admit, that the Bill would place the theatres under proper restrictions, but he could have wished, that these salutary restraints had been carried still further. On looking at the several clauses he found, that the Lord Chamberlain was bound to grant a license for opening a theatre, provided that three months' previous notice was given, and that the inhabitants of the district made no objection to it. An important feature in the case was with respect to that which would constitute a district. A district was to be formed by a radius of 220 yards, and the Bill provided, that the application for opening a theatre within this circle should be signed by at least 150 respectable inhabitants, rated at 10*l.* a-year. Now he knew, that many such districts could be found in which there were not even 150 respectable householders. According to this calculation there might by the Bill be no fewer than 250 theatres within the distance of two miles from the General Post Office. But suppose four circles with a radius of 220 yards each were formed, touching at the extremities, would not a district equal to one-fifth of the whole area of the four circles remain between them, and would not one-fifth of the inhabitants of that whole space, be left without any voice as to whether the theatres were necessary, and they having no voice in the matter might have not one but four theatres in their immediate neighbourhood? He did not expect such a case to happen; but when they were legislating they should adopt something like principle and proportion, and should provide against possibilities. He must, however, say, that the character of, or rather the manner in which, a theatre was conducted should be made a consideration of paramount importance, for if he was rightly informed evils of the most outrageous description flowed from the present system of managing such establishments. Representations with respect to the abuses existing in theatres had frequently been made to him, and unhappily it was the opinion of some that he was responsible for these abuses. The newspapers too had teemed with letters addressed to him on the subject of those abuses; but although it was not in his power to correct them as he could wish, he was still bound to acknowledge to their Lordships, that every remonstrance or representation which he had made upon the subject to the Lord Chamberlain had been attended to. Their Lordships, he was sure, would excuse his taking any part either in altering or amending this Bill, for such a course would be inconsistent with the sacred office which he had the honour to hold; but still he must say, that keeping the theatres open on Saturday nights beyond midnight was a gross and scandalous infringement of the Lord's Day. It had the effect of leading not only the frequenters of theatres, but domestics, who were obliged to sit up late for their superiors, into a forgetfulness of their Christian duties, and he therefore hoped, that in any measure their Lordships might pass they would render it compulsory, that the curtain of all such performances should drop before twelve o'clock on Saturday nights, on pain of forfeiting the license. There was a theatre, called the Garrick Theatre, in Leman Street, Goodman's Fields, Whitechapel, respecting which he had received innumerable complaints. With the part of the town in which this theatre was situate their Lordships could have little acquaintance; but a deputation that had recently waited on him declared, that since its opening the moral character of the whole vicinity had undergone a most lamentable change. This theatre opened at first without any license. A license was afterwards granted to it, but subsequently refused; and it was now, as originally, open without any authority whatever. What added to the evil of the immorality which it produced was, that the property in the neighbourhood had become greatly deteriorated in value, and the reason tradesmen assigned for not taking the houses was, that they would not live in the scenes of riot and tumults which this theatre nightly occasioned. But to show the effects of such places of amusement, and to prove that they were any thing but innocent and rational, he would mention a single instance. Within the last fortnight the daughter of a poor widow residing in the vicinity of the theatre, the only prop of her mother's declining years, contracted a sudden taste for theatricals. The girl was educated as well as persons in her condition usually were, but, being able to obtain admission to the theatre nightly, she finally quitted her mother altogether, and gave herself up to an abandoned course of life, destroyed the happiness of her parent, and ruined her own character irretrievably. The same fate had happened to the apprentices of tradesmen. They first began by frequenting theatres, their next step was to rob their masters, and if they were not charged with the commission of criminal offences their indentures were at all events cancelled. That which occurred in the neighbourhood of this theatre happened he had no doubt elsewhere, aud therefore their Lordships would see how necessary it was to adopt some course of checking instead of encouraging so bad a system. He was not prepared to say, that such places of amusement should not exist, but he was ready to contend, that an increased facility for establishing other theatres should not be given, for he was convinced that such a step would only tend to rend asunder the bonds of society.

Lord *Wynford* concurred in all that had fallen from the right reverend Prelate, but he still thought, that as the population of the metropolis had increased fourfold, the number of theatres ought also to be increased in proportion. It would appear, that the larger theatres were not better conducted than the small, and he should therefore wish the Lord Chamberlain to be invested with a power to examine into all complaints relating to the immoral practices permitted at such places. He, however, admitted, that large sums of money had been expended on the faith of the patents under which the large theatres were kept open; but although anxious to have property protected, he must say, that some improvement of the present system was loudly called for. He suggested whether a selection from the existing theatres, regular and irregular, might not be made in order that rational and innocent amusement should be afforded to the public; but he must say, that seventeen were a great deal too many for that purpose. Two theatres, he fully admitted, would be wholly inadequate to the wants of the metropolis, and as he did not wish the public to be debarred from any rational amusements, he should wish to see those chosen against which no complaints of a very serious kind had been made. There was much in the Bill of which he approved, but there was also much to which he objected, and he therefore hoped their Lordships would send it to a Committee, in order that such provisions of it as would be advantageous might be retained, and those having a contrary tendency should be rejected.

Viscount *Melbourne* said, that the Bill was in some respects good and in others bad. Compelling the Lord Chamberlain to grant licenses was not only taking away from him all discretion, but a manifest invasion of the prerogatives of the Crown. He hoped, therefore, their Lordships would allow the Bill to be read a second time, and then send it to a Committee up stairs.

Lord *Segrave* had such strong objections to this Bill, that he must give his support to the Amendment of the noble Earl. He objected specifically to the 6th Clause, which would render the power of the Lord Chamberlain entirely useless.

The Marquess of *Clanricarde* said, that in supporting this Bill the right of the Crown to grant patents would not be infringed.

The House divided: Contents 15; Not Contents 19—Majority 4.

Robberies in Dwelling-Houses.] Lord *Suffield* in moving, that the Report of the Committee be brought up, introduced the remarks he had to make on this Bill by observing, that its provisions were adapted to give increased security to property. This Bill applied solely to house-breaking, an offence committed by day, and which to be complete must be attended with actual theft, however small. The Bill did not include burglary, an offence which takes place by night; neither does it include the offence of housebreaking, attended with personal violence or intimidation. Their Lordships would remember, that privately stealing to the value of 5*l.* from a dwelling was now no longer capital. Well, then, the present Bill extended the same principle to the mere act of breaking. But what is breaking? They were not to suppose it necessary to constitute the crime, that axes and hammers must have been employed. No such thing; the mere lifting a latch, or raising two inches of a window already open was a constructive breaking—instances of this sort of constructive breaking sometimes occurred. His Lordship cited a case or two from Mr. Sydney Taylor's Compendium. A child convicted of breaking a pane of glass in a shop window, and abstracting a penny bun from a shop window was sentenced to be hanged. A curious case was some time ago seriously argued before the Judges to determine whether a man who had descended a chimney had been guilty of burglary, when their opinion was made to depend on whether the man's feet came down far enough to be visible. Again, a boy, named Nicholas White, only nine years of age, playing with some other children, was tempted to push a stick through a cracked window, and to pull out some painters' colours, value 2*d.*; for this he was actually tried capitally, convicted, and sentenced to be hanged under the Statute which the present Bill was intended to repeal. This happened at the Old Bailey Sessions in May last. Such was the gross inconsistency of the Statute in question, that out of 1,100 persons convicted in the two last years, only one offender had been executed. By the ancient common law, even burglary, the offence of breaking into a dwelling-house by night, was not punishable with death. It was by the 39th Elizabeth, cap. 15, that housebreaking first became capital, by which, however, it was essential, that property should be stolen to the value of 5*s.* Five shillings was the price set upon human life at that time, a sum equal to several pounds at the present day; but by the alteration which took place in the law in 1827, it was enacted, that the breaking and stealing to any value, however small, should be capital. So that now the taking to the value of one farthing was capital. Human life now-a-days was reduced to the value of one farthing! The absurdity of the existing law could not be better illustrated than by the case of a beggar lifting the latch of a door to ask alms, and, finding no person within, he might perhaps be tempted by hunger to steal a loaf. For such an offence, the punishment provided by the existing law is death, no matter how small the value of the property taken, although in the case of privately stealing from a dwelling the sum capitally punishable had been raised from 40*s*. to 5*l*. Such a state of the law induced Juries to violate their oaths. He held in his hand a list of 555 perjured verdicts delivered at the Old Bailey in fifteen years, beginning with the year 1814, for the single offence of stealing from dwellings, the value stolen being in these cases sworn above 40*s*., but the verdicts returned being to the value of "39*s*. only." If required, he could produce the name of every one of these 555 prisoners, and show, that the value proved to have been stolen was upwards of 40*s*.; and by reference it would appear, that no less than 11,064 Jurymen had been concerned in these perjured verdicts. It deserved remark, that when the Legislature raised the sum to 5*l*. in June, 1827, the Juries at the same time raised their verdicts to 4*l*. 19*s*., still keeping it low enough to save the offender's life. This had happened under the head of stealing only. With regard to the charge of housebreaking, which is capital however small the value taken, Juries had saved the offender's life by returning a false verdict—"guilty of stealing only." That Juries are influenced by a regard for the offender's life, is proved by the fact, that whenever capital enactments are more rigidly enforced, then the acquittals increase, and *vice versa*. Thus, in the instance of housebreaking, during the years 1826 and 1827, no offender was executed, and then the acquittals were only fifteen out of every 100 tried; but in the succeeding three years, 1828, 1829, and 1830, executions to the number of twenty-seven took place, and then the acquittals rose to twenty per cent. In the next two years, 1831 and 1832, only one was executed, and then the acquittals again sunk to fifteen per cent. The noble Lord referred to some tables founded on parliamentary papers for twenty-one years, and embracing criminal returns to the number of more than 16,000 for the offences of robbery, burglary, and housebreaking, by which it was distinctly shown, that as the severity of the law had been relaxed in practice, just in that proportion had the number of acquittals decreased. Nothing, however, better demonstrated this position than a fact exhibited in these statistical returns, which was, that taking the last seven years, the acquittals on charges not capital were only eighteen per cent, whereas acquittals on capital charges were twenty-eight per cent; showing, that ten persons out of every 100 escaped with impunity, because the nominal penalty was death. But the state of the law did not influence Juries alone, for it often prevented prosecutors and witnesses from coming forward, and operated on the feelings of the Judges themselves. After all, however, he was arguing for the repeal of a statute which had already become obsolete in practice,—one by which out of 1,100 persons sentenced to die, only one had undergone that penalty—one which tended rather to proclaim impunity to crime than to deter offenders. The Returns of the House of Commons had incorrectly stated, that four persons had been executed in 1832 for housebreaking, but these were all cases of burglary, and three of them suffered for a midnight burglary committed near Maidenhead: their names were Green, Lincoln, and Morris; although guilty of a great offence, and of personal intimidation, yet they had refrained from personal violence, and it is remarkable that they declared while committing the robbery, that "they did not want to shed blood." Yet the prosecutor who gave this in evidence, became the means of their being put to death, for Baron Gurney ordered them for execution. "I cannot forbear," observed the noble Lord, "saying it was most inexpedient to put the law into effect in this case." The impolicy of the law in such a case was admirably shown by a passage from Dr. Johnson's writings (Rambler, No. 114)—'To equal 'robbery with murder, is to reduce murder 'to robbery—to confound in common 'minds the gradations of iniquity, and 'incite to the commission of a greater 'crime to prevent the detection of a less. 'If only murder were punished with death, 'very few robbers would stain their hands 'with blood. But when, by the last act 'of cruelty, no new danger is incurred, 'and greater security may be obtained, 'upon what principle shall we bid them 'forbear?' The alterations in the last Session, by which the capital punishment was repealed in certain cases, had already produced good effects in the diminution of the number of offenders. This was particularly evident at the present Assizes for various counties—as in the instances, among others, of Dorsetshire, Wiltshire, Lincolnshire, Rutlandshire, Worcestershire, Buckinghamshire, and Kent. In Essex the change for the better had been very remarkable at the Quarter Sessions, and at the two last Essex Assizes the number of criminals was now less than one-half the usual number. The noble Lord then adverted to the case of a criminal at Salisbury, who, on receiving sentence of transportation for life, exclaimed—"I had rather suffer death than the misery which the Judge has inflicted;" and afterwards quoted a passage from the Report of the French Commissioners on the state of the American Penitentiaries, showing, that in the improved prisons the punitive and reformatory measures were such that the recommittals were only one-third the former number. Adverting to the false alarm lately attempted to be set up regarding the crime of forgery, the noble Lord stated, that he held in his hand upwards of forty letters from principal merchants and bankers in the principal towns of the three kingdoms, showing, that the offence had not increased, as alleged, since the repeal of the capital punishment. But he could also adduce other information on that head from official authority, by which it would be seen, that there was actually a diminution in the number of prosecutions for forgery in the whole kingdom; and recollecting that no [offenders were now suffered to escape, as formerly, it was evident that the crime itself must have decreased; neither was it now common to hear of acquittals as it formerly was. By additions which had been made in their Lordships' House, the present Bill provided, however, a still more severe punishment for forgery, for it enabled the Judge to order the prisoner to four years' hard labour in this country previous to transportation for life; a provision which was also extended to horse-stealing and some other offences. There was a gradation of punishments provided for the offence of housebreaking. The noble Lord concluded by saying, that a measure which had undergone two ample discussions in the other House of Parliament, and had been passed unanimously, was certainly entitled to their Lordships' most favourable consideration. He would, therefore, move, that the Report of the Committee be now brought up.

Lord *Wynford* opposed the Motion. He thought it proper, that the dread of a great punishment should hang over offenders; which, he considered, would more deter persons from committing crime than the certainty of any minor punishment. He should be glad to give his assistance to the noble Lord in removing certain offences of a minor nature from the class of capital offences; but he could not agree to the present Bill, which abolished the punishment of death in some of the most serious offences in the calendar. He admitted the utility of certainty of punishment, and on that ground he had persuaded their Lordships on a former occasion to make it imperative on the Judges to punish certain offences with transportation for life. He disapproved also of the lengthened imprisonment allowed by the Bill, because he never knew, in the course of his experience, of a man reforming from a prolonged imprisonment, either solitary or otherwise. Nothing but transportation was ever known to improve a felon. On these grounds he could not give his concurrence to the Bill in its present shape.

The Duke of *Wellington* said, that if this Bill were passed into a law it would deprive the poor man of his best protection. He had had the honour of being a member of his Majesty's Councils for twelve years, and, during that period, from sixty to 100 cases had come under his knowledge, in which poor people, when absent at work, were robbed of everything they possessed. The poor man could not afford to leave persons in his house when he went to work, and the police was no protection (at least in the country) against this species of robbery. He was opposed to the Bill because he thought, that if they abolished the punishment of death in all cases of housebreaking, they would destroy the poor man's best security.

The Bishop of *London* regretted, that there was no prison in this country in which a fair trial could be given of the effect of prison discipline in recalling offenders from their evil ways. He could not agree with the noble and learned Lord (Lord Wynford) that transportation improved men. He thought, that experience proved the contrary. He believed, that the Penitentiary at Milbank, which had for the last two years been put under improved management, gave great hope that the result of the experiment would be such as to give encouragement for a more extended trial of the system.

The Report was received.

HOUSE OF COMMONS,

Friday, August 2, 1833.

MINUTES.] Papers ordered. On the Motion of Mr. WARBURTON, Copies of Letters, &c., from the Treasury, relative to the Deccan Prize Money.—On the Motion of Mr. E. CURTEIS, a Copy of the Commitment of——Dodsworth to Beverly House of Correction, for Nonpayment of the Tithes of Wages.—On the Motion of Mr. WARBURTON, Papers relating to the Establishment of Courts of Bankruptcy.—On the Motion of Mr. ABERCROMBIE, an Account of the different Sums collected in Edinburgh and Leith, for the Behoof of the Clergy previous to 1809.

Bills. Read a second time:—Slave Trade; Convention; Hamburgh Marriages.—Read a third time:—Law Amendment.

Petitions presented. By Mr. POULETT THOMSON, from Blackley, for the Better Observance of the Sabbath; from Manchester, against the Apothecaries Bill; from the Cotton Spinners of Manchester, against the Factories' Regulation Bill; and from the Shipwrights of London, for Equalizing the Rate in all British-Built Ships.—By Mr. RUMBOLT, from Bradley and Wield, for Amending the Sale of Beer Act.—By Mr. HAWKINS, from Newport, Isle of Wight, against the Slavery Abolition Bill.—By Mr. E. L. BULWER, from Lincoln, for Making Extra-Parochial Places Contributory to the Maintenance of the Poor.—By Mr. E. B. CURTEIS, from several Places, against the Tithes Commutation Bill.—By Mr. HUTT, from Hull, for Liberating the Corn now in Bond on Payment of a Moderate Duty.—By Mr. HUGHES HUGHES, from the Market Gardeners of Deptford, to be Exempted from Paying the Duty on Horses, &c.

GRAND JURIES (IRELAND).] Mr. Littleton moved, that the House resolve into Committee on the Grand Juries (Ireland) Bill.

On the Question, that the Speaker leave the Chair,

Mr. *Lefroy* said, he trusted the right hon. Gentleman would not, at the present advanced period of the Session, press the measure upon the House. In the last division upon the Bill almost all the Irish Members voted in opposition to it. When it was considered, that for the efficient working of the Bill it was necessary to have the concurrence of the Irish gentry, it could not be amiss to remind the right hon. Gentleman, that the opposition which the measure experienced was the result of a meeting of the great body of the Grand Jurors of Ireland, at which Resolutions were adopted disapproving of the Bill. The present measure had not met with the concurrence of any one party in Ireland—on the contrary, the opposition to it was general—and persons concurred in opposing it who agreed in nothing else. He trusted that the right hon. Secretary, after collecting information in Ireland from those competent to impart it, might be enabled, in the course of next Session, to introduce a measure calculated to remedy the abuses that existed in the Grand Jury system. But, under all the circumstances of the case, he trusted and hoped, that at this late period of the Session, the right hon. Gentleman would not persevere in thrusting the measure down the throats of the people of Ireland. If a similar measure were introduced for England, and that it was opposed by the great majority of English Members, would his Majesty's Government venture to force it upon the House? He hoped, therefore, that English Members would not suffer themselves to be made tools in the hands of the Government to enforce a measure like the present upon the country—a measure which was opposed by the Representatives of all parties in that House.

Mr. *Littleton* observed, that this Bill had been before Parliament during two Sessions, and therefore he thought it had received ample consideration. He confessed that he had paid the most anxious attention to it, and the result was, he acknowledged, that he was wedded to its leading principles. If he were to postpone it, in order to visit Ireland in the interim, he apprehended that he must still approve of the leading principles and provisions of the measure now before the House. As to the absence of the Irish Members, he considered that it was occasioned by their not having any further or material objections to the Bill. He certainly could not, therefore, consent to any postponement of the measure.

Mr. *Shaw* said, that all parties in Ireland, whatever might be their political opinions, were against this Bill in its present shape. He admitted that there were some defects in the Grand Jury system; but to such a Bill as the present there were most decided objections. The Bill was not at present in a fit state to be carried into effect. He had communicated with many practical men upon the subject, and the objections urged by those were acceded to by men of all parties. It was not right that this measure should be thus hurried forward at the latter end of the Session, and when so many Irish Members were absent, he believed from the impression, that the Bill would not be pressed this Session. He put it to the noble Lord (Lord Duncannon), whether it was not the unanimous opinion of the Committee up-stairs not to press the Bill forward during the present Session? No inconvenience would arise from postponing the measure until next Session.

Lord *Duncannon* said, that there would be considerable advantages in passing the Bill this Session, while he thought there was much objection to postponement. He was free to admit, that when this Bill was last before the Committee alluded to, it was in an imperfect state, but it had since received very considerable alterations, and might now be considered a much more complete measure. The effect of passing it during the present Session, would be to give the Grand Jurors and all persons concerned in the operation of the Bill a better acquaintance with the manner in which the business would have to be done, as it would not come into operation until the next summer Assizes.

The House went into Committee. The Bill was read as far as the 29th Clause, and agreed to with verbal Amendments.

House resumed.

Church Temporalities (Ireland).] The Order of the Day for taking into consideration the Amendments of the Lords to the Church Temporalities (Ireland) Bill having been read,

Lord *Althorp* rose and said, that though the House of Lords had made some Amendments to the Bill, which he certainly did not think improvements, yet, as the principle of the measure remained unaffected, he thought it his duty to recommend the House of Commons to agree to them. A vast number of the Amendments were merely verbal; but of the substantive Amendments, one of the greatest consequence was that by which power was given in certain cases to allow a stipend to a curate for performing duties in a benefice which had been suspended. There was another Amendment of a substantive nature, which he was far from thinking an improvement to the Bill. It would be recollected that the House of Commons passed the Bill, with a provision that no church should be built in any parish in Ireland unless one-fifth of the money necessary to complete it was previously subscribed. To this clause the Lords had made an Amendment, leaving it to the discretion of the Commissioners to decide whether any Church should be built or not, even though no part of the money necessary for its erection should have been raised. This, he repeated, he thought no improvement to the Bill; for in his opinion it was desirable that a certain proportion of the money should be subscribed beforehand, on purpose that it might be seen that a real desire prevailed for the erection of a new Church. Yet he trusted that the Commissioners, to whose discretion the matter was now left would not sanction the building of a church in any parish where it was not desired; and he should not therefore propose that this Amendment of the Lords should be rejected. Another Amendment had been made to the Bill, with respect to which much difference of opinion prevailed in the House of Lords, but which he considered of less importance than those he had before mentioned; he alluded to the amendment which effected an alteration in the clause empowering the Commissioners to suspend appointments in benefices where duty had not been performed for the last three years. As the Bill left the House of Commons, it was provided that the Commissioners should have the disposal of the revenues of the suspended livings, for the purpose of applying them to any Church purpose, as well in the parish the appointment to which had been suspended, as in other parishes. The Amendment made very little difference in this provision indeed. By it the Commissioners were directed to apply the proceeds to the parish in which the appointment was suspended, unless they thought it advisable not to do so. This Amendment certainly did not appear to him to make any very material alteration in the clause; and though he did not approve of it, because he thought it might as well not have been proposed, yet he did not consider it to be one with respect to which the House of Commons ought to express any difference of opinion with the House of Lords. There was another Amendment of some importance, to which he desired to call the attention of the House. It empowered the Archbishops of Armagh and Dublin to appoint to ten of the suspended livings. The clause, however, did not appear to be drawn up in a very clear way; because it first of all stated, that the Archbishops of Armagh and Dublin should have the appointments, but if they disagreed as to the mode in which the livings ought o be disposed of, the patronage should vest in the Chancellor and Vice Chancellor of the University of Dublin; and it then went on to say, that the Archbishop of Armagh should have the first appointment. He did not think the meaning of the clause very clear; but he believed that it was the intention of the Lords that, in the event of the two Archbishops not agreeing, the presentation should lapse to the Bishop in whose diocess the living was situated, and he should therefore propose an Amendment to that effect. The noble Lord then moved that the Amendments of the Lords be read a first time.

Motion agreed to.

On the question, that the Amendments be read a second time,

Mr. *O'Connell* did not think the Lords had made the Bill much worse than it was before they received it. It was a delusion to suppose that the people of Ireland would be satisfied with the Bill; the reform which they wanted was, that the burthens imposed on them might be lessened. It had been said, that only one sixteenth of the Irish people professed the faith of the Established Church. That, perhaps, was an exaggerated calculation; but supposing that one-eighth belonged to the establishment, was it not a grievous anomaly that the other seven-eights should be taxed for their advantage? The Protestants were said to have shown an alacrity in paying tithes. Now, how stood the fact? In the Protestant county of Armagh the arrear of tithes amounted to 29,000*l*., and in the Catholic county of Kerry the arrears were only 11,000*l*. He thought the Bill, as sent down from the Lords, exhibited a curious sample of the hereditary wisdom of the other branch of the Legislature. He protested against its being considered in any other light than as the first instalment of the debt due to the people of Ireland; and he hoped that in the course of next Session a more efficient measure would be passed. It was not his intention to divide the House against the Amendments.

Mr. *Hume* could assure the hon. and learned Member that the people of England were as little satisfied with] the Bill as the people of Ireland. They looked upon it as an abortion of Church Reform. After having abolished sinecures in the army and navy, were they to allow sinecures to exist in the Church? It was their duty to consider Church property as public property, and every shilling of that property, beyond what was necessary to provide the means of worship to the Protestants of Ireland, ought to be applied to the benefit of the State. He considered that the Bill as it now stood was not adequate to the wants of the State; that it would not conciliate the Irish; nor satisfy the people of England, because they had expected a much larger and more efficient reform at the hands of the Government; and he thought that the only available point about the measure was, that it affected the principles which were supposed to govern the appropriation of Church property, by showing, that the House of Commons were disposed to take upon themselves to interfere in its distribution. After diluting the measure of Reform, it was found that the diluted draught would not go down, and he hoped to see a real and substantial measure hereafter; until which object was attained, it was useless to look forward to reforms in other branches of the State which equally required them.

Lord *Ebrington* said, that although he did not think that the Bill, as it was at present, was a good specimen of legislatorial wisdom, yet he did not agree with the hon. member for Middlesex that it would be so utterly worthless and inefficacious as he had represented it. He thought that the alterations in the Bill either in this or the other House of Parliament (although as he had said, they did not meet his entire approbation) did not affect materially any of those benefits proposed by it when first brought forward. He should certainly vote for the Amendments.

Mr. *Harvey* said, that if he had been one of those who were of opinion that the revenues of the Irish Church ought to be exclusively devoted to its support and maintenance, he could not have supported this Bill, which he conceived had been brought forward on the principle that all revenues not absolutely wanted for such maintenance should be devoted to more urgent purposes. If, however, he rightly interpreted the sentiments of some noble Lords and hon. Members, he would declare them to be, that when certain sums were devoted to the use of a church, they must remain exclusively devoted to that service, notwithstanding that the duties of that Church might subsequently have diminished in even a greater proportion than the funds for its support had increased. That, at least, was the principle recognised in our Courts of Justice, and it would be a matter of indifference in such cases that there might be, for the support of a Church in Ireland, but one clergyman, one clerk, and no Protestant, to attend public worship; still the revenues of that Church would remain its exclusive property. If that was the principle which had been acted upon by those to whom he had referred in relation to this Church Reform in Ireland, what, he would ask, would the people of England have to look forward to? The only course for them would be to consider this Bill in the light of a precedent. He hoped that this measure would be considered only as a precedent, and that it would be followed up by petitions from all the sects in the country praying to be exonerated from the payment of rates for a Church from which they dissented.

Mr. *Finn* said, although the Vestry-cess was abolished, yet that Ireland was still 190,000*l.* worse than before, calculating the expense to which she would be put by her share of the 20,000,000*l.*, the expense of collecting tithes, and the expense of the military.

Lord *Althorp* then proposed a verbal amendment to one of the clauses, the effect of which he had previously stated.

Dr. *Lushington* said, that this question of this verbal Amendment might easily be got rid of, if they would adopt his advice, and omit the clause altogether. This clause supposed what did not seem to him very probable—that the two Archbishops of Armagh and Dublin would differ about the disposal of their patronage. If, however, that should be so, he could not for the life of him conceive why the difference between two Archbishops as to the fitness of a clergyman to be presented to a living, should be decided by his Royal Highness the Duke of Cumberland. In his opinion, such a case ought to be allowed to vest the right of presentation for that time in the Bishop of the diocess.

Mr. *Shaw* said, that as he had originally mentioned this clause to the noble Lord, and other Members of the Government while the Bill was in progress through the House of Commons, although he had not actually proposed the clause there, he could explain why the patronage of these ten benefices was arranged differently from that of the ordinary college advowsons. It was considered that as the provision was introduced in a Bill which was a Church measure, and professed at least to be for the benefit of the Church, it was reasonable to allow the heads of the Church to make the selection of the fellows to be appointed from the entire body of fellows, rather than that the option should be left to each in rotation of their seniority, as was the case with the present advowsons, by which there would be no necessity of choosing those for parochial ministers who had been subjected during the greater portion of their lives to collegiate discipline and habits. He was surprised that the hon. and learned Gentleman had not deemed it unworthy of his talents and sagacity to have indulged in the observations he had made in reference to his Royal Highness the Duke of Cumberland. The hon. and learned Gentleman must have been aware that the appointment was given not to his Royal Highness personally, but to the Chancellor of the University for the time being—in the event too of a very improbable contingency—that of the Primate and the Archbishop of Dublin disagreeing, and even then only when the Vice-Chancellor happened to be one of the Archbishops.

Lords Amendments agreed to.

MINISTERIAL PLAN FOR THE ABOLITION OF SLAVERY.] Lord *Althorp* moved, that the Resolution of the Committee of the whole House, on 12th June, respecting the grant of 20,000,000*l.* be read. And the Resolution having been read, Lord Althorp moved, that the House resolve itself into a Committee to take it into consideration.

The House went into a Committee.

Lord *Althorp* moved the following Resolution:—"That any redeemable perpetual annuities, or annuities for terms of years, which shall be created by virtue of any Act of this Session of Parliament, for the abolition of slavery in the British colonies, shall be added to, and form part of, the redeemable perpetual annuities, or annuities for terms of years in which such annuities shall be raised; and the interest, dividends, and charges of management, in respect of the same, shall be charged upon, and made payable out of, the Consolidated Fund of the United Kingdom of Great Britain and Ireland."

Mr. *Herries* objected to the proposition of the noble Lord, and should propose, instead, that a Resolution to this effect be adopted:—"That whereas Parliament has granted a sum of 20,000,000*l.*, for the purpose of raising that sum, the Lords of the Treasury shall have the power, from time to time, to enter into contracts for such parts of that sum as they may require under such conditions and terms as Parliament may think fit to agree to." He was surprised that the noble Lord should have had the slightest doubt as to the course that was to be pursued on this occasion. He objected to the course proposed by the noble Lord, as it would not leave Parliament the means of making the conditions on which the money should be raised. He wished to know, besides, on what ground it was, that the noble Lord proposed to charge the interest of this money on the Consolidated Fund. That Fund was already sufficiently burthened, and if he understood rightly, it was about to be loaded with a sum of 1,000,000*l.* for the clergy of Ireland. He urged the Committee to adopt his recommendation, and to keep the management of these 20,000,000*l.* in their own hands.

Sir *Richard Vyvyan* observed, that considering the temper of the present House of Commons, and the possibility of another being assembled before the change now determined on could be perfected, he thought the West-Indians were well warranted in asking for such a security as the noble Lord proposed to give them. He trusted that his right hon. friend would not persevere in his objection.

Mr. *Hume* was disposed to support the objection of the right hon. Gentleman, and should resist to the last the grant of so large a sum of money at this moment, and independently of the authority of Parliament. He was surprised at the doubt expressed by the hon. Baronet, and thought such a doubt little less than an insult to Parliament. He did not believe that one farthing of the money would be wanted till Parliament again assembled; and when it did, the noble Lord might come down and propose the vote in a regular manner, and not attempt, in this irregular way, to obtain a grant from Parliament. The vote ought not to be given except on the performance by the West-Indians of the conditions of the Bill; and if the noble Lord waited till they were performed, or a distinct pledge given that they would be performed, he could not want the money now.

Lord *Althorp* did not agree with the doubt that had been expressed by the hon. Baronet, and believed that any future Parliament, if by any accident there should be one before this matter was finally settled, would do that which this Parliament had determined should be done. At the same time he was not prepared to say, but that the West-Indians had a right to ask for some more satisfactory security; and, therefore, it was that he had proposed this Resolution. He admitted the irregularity of the present proceeding, but justified it on the ground of necessity, and called on the House to give credit to the Ministers, that they would make the best arrangement they could in raising this money.

Mr. *Herries* thought that the House in acceding to the Motion would abrogate one of its most important functions.

Mr. *Spring Rice* supported the Motion. The method adopted he acknowledged might be unusual, and not altogether constitutional; but the case was *sui generis*, and was to be taken on its own merits.

Mr. *Fryer* said, he could not stomach the grant of 20,000,000*l.* He gave the noble Lord credit for the best motives, but he must take leave to tell him that he thought he had compromised the question—that he had sacrificed the people's interests to those of the United States of America. If he wished to show what constituted a case of triumph over the West-India proprietors, it was this Bill, for he was convinced that they would never get what they expected. Did they know anything of the Deccan prize money? Did the House know the delays which had taken place in the distribution of that money? But the Parliament of to-morrow was not bound by the Parliament of to-day, and therefore the Deccan prize-money had not been paid. Former Parliaments condemned the sheep-stealer to death, but the law was now altered. He protested against various clauses of the Bill, and particularly against the grant. In future Parliaments there might be a majority of such men as himself who would say the money should not be paid. He also objected to the inquisitorial inquiries as to the value of men's property which was ordered to be made by Commissioners and solicitors, which inquiry must of necessity engross a considerable portion of time.

The Government was bound to state specifically how it intended to raise this money.

The Resolution was agreed to.

RENEWAL OF THE BANK CHARTER.] Lord Althorp moved the Order of the Day for the second reading of the Renewal of the Bank Charter Bill.

Mr. *Poulett Scrope* hoped the noble Lord would not press so important a subject in the absence of many hon. Members, who were absent on the understanding that it would not be brought forward that evening.

Lord *Althorp* said, that the course he had proposed last night, was that which was now about to be followed. He had said that he would not bring it on till after the Slavery Abolition Bill; and as that had been disposed of for this evening, he thought that, as there was so much time now, it would be wrong not to bring the question forward.

The Order of the Day read.

Lord Althorp moved, that the Bill be read a second time.

Mr. *Poulett Scrope* rose to oppose the Motion, though he was not as well prepared as he should have been had he known that the question was to be brought forward that evening. He would state briefly the reasons why he would urge on his noble friend to postpone the question to the next session. The first was, that there existed no pressing necessity for urging this forward in the present year; and, next, there were many subjects of the highest importance which were fully sufficient to occupy their undivided attention for the remainder of the session. The subject of the Bank Charter was one which he believed was not fully understood, and certainly had not been fully discussed. He had every confidence in the integrity of the noble Lord, the Chancellor of the Exchequer; but he must own that he had not the like confidence in his ability as a financier. He did not believe that the noble Lord was as yet thoroughly master of the subject. In the first place he differed from the noble Lord as to the time to which he proposed to continue the charter; for he certainly considered it a most erroneous policy to doom the whole monetary system of the country to the influence of a narrow monopoly for the term of twenty years. The only thing like the shadow of an argument which could be urged for this course was, that if the measure were not passed now, it would leave our monetary system in a state of suspense. This objection would have some weight if the Bank Charter were to expire in the present year; but that was not the case; for if notice were not served on the Bank before the 1st of August, 1833, it must continue for a year from the 1st of August, 1834, for it would require the notice of a year from that time. [Lord *Althorp:* A notice of twelve months from 1833 would be sufficient.] Even in that case there was not any pressing necessity for urging the matter in the present Session. There could be no danger in delaying it over till the next; but there was great danger from precipitancy in taking a step which must bind the country for so long a period. They were about to enter upon a road in which there was no turning; and in which they must continue to go straightforward, be the consequences what they might, till the year of our Lord 1846, during which long period the monetary and, to a certain extent, the commercial system of the country, must be delivered up, bound hand and foot, to this monopoly. All the fluctuations in our system which had caused so much mischief had been chiefly owing to the acts of that monopolizing body, which had operated on the currency for its own purposes. This he did not state on his own authority, but upon the authority of the late Mr. Horner, who in 1816 had condemned in strong terms the system of the Bank, and the enormous profits they were allowed to make on the management of the public business. Mr. Grenfell was of the same opinion; so had been Lord Archibald Hamilton, who stated, that the profits of the Bank monopoly kept pace with the distresses of the country; adding, that so sure as effect followed cause, the same consequences must continue as long as the monopoly was allowed to exist. He could quote in support of the same opinions the authority, not only of Mr. Ricardo, and others no longer in existence, but even that of many of those right hon. Gentlemen who were now the ornaments of the Ministerial Bench on which they sat. How was it that they had so greatly changed their opinions on this subject? He had yet to learn how it was that the right hon. Baronet (Sir James Graham) who, in 1828, called on the Government of that day to cut the connexion between it and the monopoly of a single bank should, as a Minister of the Crown in 1833, call on Parliament to continue that connexion for so many years. He had yet to learn how the right hon. Secretary at War (Mr. Ellice) whom he did not then see in his place, should have changed his opinion so greatly as to advocate as a Minister that which he had deprecated as a private Member of that House. He had to learn how it happened, that an hon. Member, Mr. Henry Brougham, who, in 1826, had so strongly declared against the monopoly of twenty-four men—the Bank Directors—should in 1833, as Lord High Chancellor, wish that the monetary interests of the empire should be placed under the influence of that monopoly. It would not have surprised him had such a measure as this been proposed to an unreformed Parliament, to which a Minister of the Crown could dictate; but he was surprised that a Reformed Parliament and a Reforming Ministry should wish to continue the yoke of this powerful corporation over the monetary system of the country. He was surprised that they should wish to bind down the country for twenty years to the domination of those task-masters whose stripes were still fresh on their shoulders. The Bank had been the great cause of the prodigality of former Governments, which could never have raised the extravagant loans they had contracted if they had not been aided by the Bank. The Bank had been the great architect of the national debt, and, like some other architects, it had an interest in continuing the system from which it derived so much advantage. He looked with apprehension to the increase of power which this measure would give to the Bank. It would have, in consequence, an overwhelming influence in the metropolis, and through it, branch banks would, in a few years, obtain equal influence in the country. It would be enabled to command the whole money transactions of the country; landed, commercial, trading, and funded. Napoleon Buonaparte, by his system of prefects, and sub-prefects, did not establish a more complete system of tyranny than would be given to the Bank by this Bill. It might be supposed that such apprehensions were visionary, but the Bank of Genoa did actually obtain the sovereignty in Corsica, and the most extensive influence in this way; and it was well known, that in the United States the people were determined not to continue the privileges of the Bank from an apprehension of the effects it might have on their liberties. He objected, therefore, to the measure, because he thought it likely to trench upon the liberties of the subject—to lead to a profligate expenditure of the public money, and an undue control over private property. He called upon the noble Lord to postpone the Bill till next session, with a view to the appointment of a Select Committee, which should place the banking and monetary system of the country upon a sound and permanent footing. In conclusion he moved that the Bill be read a second time that day six months.

Sir *Henry Willoughby* seconded the Amendment. His objection to the Bank was, that it was a great jobber in public securities, and he apprehended that under the increased power now conferred upon it, that corporation would regulate its issues of paper money, not in reference to the wants of the country, but with a view to the extent of its own engagements.

The Question having been put—

Mr. *Alderman Thompson* said, that his interest in the success of the Bank was but small, compared to the interests of the trade and commerce of the country; he, therefore, trusted that hon. Gentlemen would not think that he would make the interests of the country subservient to his own, or those of the Bank. It was not very correct to accuse Ministers of precipitation, since a Committee had for several months last Session sat upon, and inquired into, the Bank question; so that the charge upon that point, made by the hon. member for Stroud, was not likely to have any great weight with the House. As to the danger mentioned by the hon. Member likely to arise out of the connexion between the Bank and the Government—how could the hon. Member dread it? For how could he be so ignorant as not to know that no Minister could borrow 100*l*. from the Bank without the consent of Parliament? On that head there was nothing in the hon. Member's argument. In contradiction of the opinions unfavourable to the present system of the Gentleman quoted by the hon. Member, he would cite the opinions of Lords Liverpool and Ripon. Those noble Lords, in a letter addressed to the Governors of the Bank of England, which was laid on the Table of that House the 15th January, 1826, said, "that much of the prosperity of the last century was owing to the general wisdom, justice, and fair dealing of the Bank of England." The authority of Lords Liverpool and Ripon was every bit as good as the opinions of those Gentlemen quoted by the hon. Member, The hon. member for Newcastle-under-Line feared that the Bank would extend its circulation according to their own engagements. This could not be, since the circulation must be regulated by the state of the exchanges; and, moreover, since the Bank would be compelled to publish its accounts quarterly, it could be guilty of but very little mismanagement. He hoped the House would reject the Amendment, and not postpone the proposed measure; for if it should be postponed to next Session, there would be an end to that revival of commerce which had been lately witnessed, and the whole commercial transactions of the country would be involved in confusion. He supported the second reading of the Bill, not that he was interested in the success of the Bank, but on account of his regard for the interests of the public.

Mr. *Philip Howard* said, that he should reserve to himself the right to propose an amendment in the Committee, particularly on the clause which went to make Bank notes above *5l.* a legal tender. For the present, however, he would give his humble support to the second reading of the Bill.

Mr. *Matthias Attwood* said, that his great subject of complaint was, that after a condemnation of all monopolies by the present Ministers, they now proposed to extend the monopoly of the Bank of England. He regretted much that the Bank was not confined to the same terms on which they held the present Charter, in place of enlarging their monopoly so far as to make their notes a legal tender. There would, in that case, be an almost universal concurrence in the measure, and the question might be disposed of in one month. It showed a want of sound judgment and discontent on the part of the Bank to grasp at such exclusive privileges. The hon. Alderman (Thompson) had read an extract from a letter from Lord Liverpool, but he omitted such parts of it as made against his case. At the time that letter was written, the unanimous opinion was, that no exclusive privileges ought to be conferred on the Bank. Those very men who now proposed to extend their privileges, were the persons who at that time were disposed to deprive the Bank of all privileges. The letter of Lord Liverpool asserted a principle very different from that which the hon. Alderman seemed inclined to draw from it. It was, in point of fact, a manifesto to the Bank of those opinions which then generally prevailed in Parliament; and it held out no hope that the Bank would ever again be put in possession of any privileges which could give them an advantage over any other of his Majesty's subjects. Lord Liverpool referred to such privileges as having their origin in barbarous times, and being now out of fashion. He (Mr. Attwood) looked upon the conduct of the present Ministers as regarded the Bank to be a complete abandonment of all those commercial principles which had been held by them during the last fifteen years; and he concluded that in maintaining such principles they had at last seen they were in error. He trusted, therefore, the trade and commerce of the country would again be placed upon the same foundation, and regulated by the same principles, under which it had flourished for so long a period. It was now proposed to give a compulsory value to Bank paper. Such a course was directly opposed to all the received doctrines of a paper currency. The fact was, that Bank paper was already, by the tacit consent of the people, a legal tender for all useful purposes. There was no excuse for proceeding with the present measure. Other measures might have been defective; but there was this excuse, that they were adopted in emergency. Now no emergency pressed, and therefore this measure, if adopted, was adopted as a permanent measure, as an improvement in the monetary system. Was it such a measure? Could it be said, that it was prudent to trust entirely the currency of this country, with the power of depreciating it, to the Bank? Supposing the Bank under ordinary circumstances acted with the greatest prudence, what security was there for such a course being pursued by the Bank under pressure in times of war. He admitted, that this measure did not at once depreciate the currency, but it laid a sure foundation for future depreciation. Such a system was most dangerous, unless, indeed, steps were taken to enable the Bank to meet the responsibility which would thus be thrown upon it. The contrary course, however, was pursued in this plan, for in fact the basis of the Bank credit was curtailed. Much had been said respecting the panics; and it had been contended that that ought to be and would be guarded against by the proposed regulations. Now, he asserted, that those panics had nothing of danger in them, compared with what would be inherent in the new system. What provision was made to pay in gold the 13,000,000*l.* which might at once be demanded? Let the House look back to those panics. He would notice the most prominent two which had occurred, that of 1832, and that of 1825. In the political panic of 1832, the gold drawn from the Bank amounted only to about 1,400,000*l.* To talk of such a sum endangering the Bank was ridiculous. Then what was the case in 1825? There was no more gold required from the Bank of England than about 1,300,000*l.* That was proved by the evidence of Mr. Harman, for that Gentleman stated, that shortly previous to the panic there were but 1,300,000*l.* in gold in the Bank. Surely, then, care should be taken to guard the public from being compelled to take notes to any amount unless some better security for their realization in specie should be provided. It was not the internal panics that, under the present system were to be feared, or that had ever endangered the Bank of England, but it was the drain in consequence of the foreign exchanges. Shortly before the panic, in 1825, no less than 9,000,000*l.* was drawn out of the Bank; and previous to the panic in 1832, 6,000,000*l.* in gold were drawn out of the coffers of the Bank. The Bill, therefore, as it stood, would guard against the lesser danger, which was insignificant, and leave the greater danger, which was immense, untouched. The most wise and easy way to prevent danger would be to compel the Bank to increase its store of gold by 2,000,000*l.* or 3,000,000*l.* He felt a strong repugnance to many of the details of the measure; but, at the same time, he was bound by sound policy to support the maintenance of the Bank of England. That Corporation, however, ought to be confined to its proper field; it ought to be a Bank of issue for the metropolis, and the only one. Not that there was any peculiar interest or charm in the number one, but because practice had grown up about the system and given it a firm root. But while he maintained the Bank of England in its legitimate functions, he would also maintain the country banks of England, and the joint-stock banks of Scotland in their privileges. They were the growth of the circumstances of the country, and adapted to its interests and its wants. Another system might be better than the present, but to attempt to alter in parts would only produce dislocation. There was an old and wise maxim with respect to criminal law; and it was, that a known and fixed law, although imperfect, was preferable to an uncertain and changing law, although in all other respects the changing law might be much the superior. That maxim was even more applicable to mercantile affairs than to others. Anxious as he was to see the Bank of England supported in its just and useful privileges, he should vote for the second reading of the Bill, although he should do so with reluctance, for he felt that many of the provisions of the Bill would produce only the most disastrous results.

Mr. *Brodie* said, that though he was a country banker, he would, divesting himself of all private and interested feelings, discuss this subject upon public grounds. The noble Lord, he believed, had already stated, that he would postpone that part of the measure which related to country banks to next Session. He would just refer for a moment to what had fallen on a former night from the noble Lord in reference to country banks. The noble Lord then said, that he certainly gave a decided preference to one bank of issue over the establishment of numerous rival banks—that he did not bring forward his measure in consequence of any complaints that had been made with regard to the unfitness of the existing country circulation; but he proposed it in consequence of his impression of the utility of one bank of issue in supporting a paper currency and preventing fluctuations. Now, here was the admission of the noble Lord, that no complaints had been made against the country banks; and they had also the confession of the noble Lord's party, that there existed no grounds for such complaints. Then the question arose, why did the noble Lord wish to place the country in the situation the noble Lord now proposed? He, for one, hoped that the House would never allow the noble Lord to make such a tremendous experiment upon the credit of the country. The noble Lord talked indeed of fluctuations, and he had said that the object of establishing one bank of issue was, to prevent fluctuations. Now, if the noble Lord had had the same experience with respect to country banks which he (Mr. Brodie) had had, he would see, that it was quite impossible that the operations of any country banker would create fluctuations. All the fluctuations that took place in this country were created entirely by the operations of the Bank of England. Whatever fluctuations took place in the circulation of country banks were legitimate and natural. He would state an instance with regard to his own bank. In consequence of the good harvest last year, the circulation of that bank rose by one-twelfth above what it had been in the preceding year. But the idea that a country banker could raise his circulation to what amount he pleased was preposterous and absurd, and contrary to all experience. No more of his notes would remain in circulation than were absolutely necessary for the daily intercourse from hand to hand of the trade in the district where his bank was situated. To attempt to push his circulation further would be as ridiculous as to endeavour to put more water into a vessel than it would contain. But the Bank of England, besides supplying notes to its customers, had various other operations to perform connected with the funding of Exchequer-bills, the advances of money on mortgages, &c., all of which reacted upon its circulation, and subjected it to constant fluctuations. The hon. Member here read an extract from an *Essay on Banking*, published in 1830, to show that the existing country banks had answered all the purposes for which they were required by the country. He could not conceive, he said, any measure more impolitic than the establishment of a number of such banks as the noble Lord proposed to establish—banks that would be the mere menial servants of the Bank of England, and which would be obliged to contract or enlarge their circulation as the Bank of England was pleased to direct. He was of opinion that, so far from increasing the power possessed already by the Bank of England, it would be wise and judicious to diminish it. In conclusion, he solemnly called on the House not to enable the noble Lord to inflict such a deadly injury on the country.

Mr. *Poulett Thomson* said, that without any disrespect to the hon. Member who had just sat down, he did not feel it necessary on this occasion to offer any answer to the observations that had fallen from him, as those observations had nothing to do with the measure at present before the House, but applied to that part of the plan which had been postponed to the next Session of Parliament. The hon. Member's observations might have been perfectly appropriate three months ago, and they would be perfectly appropriate some nine months hence, if the measure which had been withdrawn should then be re-introduced by his noble friend, (the Chancellor of the Exchequer.) He would now proceed to reply to some of the points that had been urged by the hon. member for Whitehaven. To the great majority of them, the hon. Member had himself furnished an answer. The hon. Member, in stating, that he would vote for the second reading of the Bill, admitted that he approved of the principle of it. The hon. Member had asked how they, who were the advocates of free trade and the opponents of all restrictions, could advocate the monopoly of the Bank of England. Now, he (Mr. Poulett Thomson) thought that the two things were perfectly reconcilable, and capable of being advocated upon exactly the same principle—the principle of the public good. He denied that it would be inconsistent for the advocates of free commerce to object to the issue of paper. Those who advocated free trade did so on the grounds that an individual could only injure or abuse himself by the misappropriation of his capital; but in the case of a private banker issuing his notes, he might not only injure those with whom he dealt, but also disarrange the whole monetary system of this country. It had been said, that a perfect unanimity prevailed as to the propriety of a renewal of the Bank Charter in the way the proposition now stands; but he believed the right hon. member for Dundee (Sir Henry Parnell) differed in this respect. He, however, must maintain, that though many of the privileges of the Bank of England were continued, yet none certainly were increased, while, on the other hand, many privileges were diminished. The sole privilege retained for the Bank of England was that of issuing notes payable to the bearer within sixty-five miles of London. With this sole exception, the Bank Directors got by this measure no extension of privileges; and he would inquire under what restrictions were those privileges continued? Was it nothing, he would ask, that the Bank of England would be required, under this Bill, to become a responsible instead of an irresponsible body to the public? And, again, was it no diminution of the privileges which the Bank now enjoyed, to be compelled to come before the public with a weekly statement of their accounts, and, indeed, to lay them thus open to the inspection of their customers? By these provisions a check was afforded such as never before existed. He was at a loss to conceive upon what grounds the increase of privileges to the Bank could be insisted upon as having been extended to the Bank by the Government; and he must deny, that making notes a legal tender would prove more a benefit to the banker than to the country generally. He must also deny, that the proposed measure would either be a violation of the contract, or that it would lead to any depreciation. Arguing from past times, he should say, that some check was necessary to guard against internal drains to which the commercial system of the country, and especially the Corn-laws, must administer; and he knew none so effectual as that which had been proposed, and to which he had already alluded. He must further observe, that no such difficulty could arise as that which had been suggested, for the moment that the Bank ceased to pay in bullion, that moment would the notes cease to be a legal tender. Again, he must express his conviction, that against external drains the State could always provide; and though he objected to any monopoly in private hands, yet, until he saw that the country could with safety take the management into its own hands, he would leave with even a private company such management, under such restrictions as might be considered necessary, with a view to prevent abuses. Though he disapproved of the mismanagement which had manifested itself of late years on the part of the Bank of England, yet he must say, that the management of the paper issue, and of the monetary system, could not be intrusted in better hands, and he should therefore give his support to the proposition of his noble friend.

Sir *Robert Peel* said, that as regarded those parts of the Bill which related to the extending of certain privileges to the Bank of England, it had his assent; and he should, therefore, vote for the second reading. He thought, upon the whole, however, that the contract made was a very improvident one for the public; but that contract having been entered into by the authorised officers of the Government, he could not, without stronger grounds than any which he saw, be a party to its violation. The nature of the bargain as between the Bank and the public was clearly indicated by the fact that Bank Stock since it became known had risen from 193 to 208. Assenting, however, as he did, to the Bill generally, there was one clause to which he very strongly objected, and that was the one which made the Bank of England notes a legal tender. And if anything could increase his objection to the principle of that clause, it was done by the mode and time and place in which such a principle was proposed for the adoption of that House. As to the time, he objected that a principle entirely changing the monetary system of the country should be proposed to the House at midnight on the 2nd of August. His objection to the place was, that a question so independent and so important in itself should be embodied at all in such a measure as the present Bill. It was no part of the contract with the Bank as far as he could understand; and he would ask, then, was there any prospect of such an immediate danger of commercial or political panic as to make it necessary to introduce in this measure a clause giving up the principle of the convertibility of paper into gold? The right hon. Gentleman had said, that the change would not materially increase the paper issues of the Bank. That word "materially" admitted the whole question, and was enough to show that the measure would in effect destroy the convertibility of paper. Then as to the mode. The clause was introduced in the middle of this Bill without a word to explain for what reason it had been adopted. He could not help admiring the modesty of the framers of the clause. They could not even condescend to say, that "whereas it was expedient" to make the provisions it contained. There would be nothing whatever upon the face of the Act if it should be passed, to show posterity why such an important alteration was made in the monetary system. He objected entirely now to enter upon this slippery path, from which he was satisfied it would be impossible to retrace the steps which it was proposed in this respect to take. The measure, with such a provision, would enable any man to issue his paper purporting to be payable to bearer on demand, and, instead of fulfilling that contract in bullion, he would be enabled to meet it by a note convertible only in London. This would be intrusting to parties over whom the nation would have no control, not only a complete power over the currency, but also an interest, and a direct one, to abolish a gold currency. He begged to ask the noble Lord (the Chancellor of the Exchequer) whether, if an individual had a demand upon another for 5*l.* 2*s.*, the first could discharge the demand under the Bill with a 5*l.* note and 2*s.*? [Lord *Althorp*, Yes:] Then, in such a case, what provision was there in the Bill to prevent a country banker from sending forth notes for 5*l.* 5*s.*, which would be a complete departure from the present system; and as the country banker could pay his note with a 5*l.* Bank of England note and 5*s.*, it would never be necessary for him to be possessed of any bullion or gold, in order to be enabled to satisfy the demands of his customers. He could also conceive another inconvenience which would arise from the proposed measure—namely, that at the ports foreigners would, instead of getting gold, be obliged to take notes. He feared this clause would tend to increase the evils so much to be dreaded, and to it he could not give his consent. The proper time, however, would come for entering into a full discussion of its provisions, and he would not now further enter into it.

Lord *Althorp* denied, that any principle on this subject which had been adopted by him before coming into office had been abandoned in any provision contained in the present Bill: and he further denied that the Bank of England could be charged with jobbing with the public securities as had been stated. He was ignorant of any one fact which could expose the Bank to such a charge or imputation. The objection raised by the right hon. Baronet, the member for Tamworth, to the clause for making Bank of England notes a legal tender, was not really a valid objection to the Bill itself, and that objection rested on the non-insertion of a preamble to the clause. It had been thought right, by the Government to bring into this Bill all matters directly affecting the Bank of England, and this clause, he contended, had been properly introduced. The right hon. Baronet had inquired if this part of the bargain had been communicated. It had been so; and in the letter addressed to him, in answer, it had been said the matter was more deserving the consideration of the Government than of the Bank itself. He admitted, that the clause would be advantageous to the Bank, but at the same time it could not be denied, that it afforded a means of meeting a run upon it. He (Lord Althorp) intended, in Committee, to introduce a clause restricting the branch banks from issuing anything but branch-bank notes, and that they must have always a resource of bullion. [Sir *Robert Peel:* Is it provided that the Bank of England shall have branch banks?] He could not see how it was possible to enforce this by any act of Parliament, but he thought the Bank of England would feel it to be for its own interest to have branch banks; but, at any rate, such establishments must be left to their own discretion. The right hon. Baronet had supposed that the country bankers would issue five-guinea notes to avoid paying in gold; but he did not see in what manner they would gain any advantage by so doing, or that it was the interest of country bankers to pay Bank of England paper instead of gold. The right hon. Baronet considered that it would be the interest of the country bankers to issue Bank notes not payable in gold; and that, as branch banks would probably cease, the payment of gold in exchange for notes, would consequently be confined to the Bank of England. But supposing that to be the case, it would not differ much from the present state of things; for in any great demand for gold, the place where it was applied for was the Bank of England. The right hon. Baronet had contended, that the altering of the currency so far would affect foreigners. But he did not apprehend that foreigners frequenting our ports took gold back—they took Bills of Exchange. He did not see how this could affect our internal transactions. The right hon. Baronet thought that the standard of value of the currency would be altered, if country bankers were allowed to pay 5*l.* 2*s.* in a 5*l.* note and 2*s.* He did not see how this would affect the standard of value, unless the 5*l.* note was depreciated; the right hon. Baronet must assume that paper would be depreciated in the country, of which he (Lord Althorp) thought there was no danger. It was then said, that other establishments would be found with equal security with the Bank of England. But the whole principle of the Bill was founded on this—that the currency of the country ought to depend upon one bank of issue, which should regulate the amount.

Mr. *Herries* agreed in the principle of renewing the Bank Charter, and should therefore vote for the second reading; but he wished to make the legal tender—as it was, and ought to be—a distinct and separate question. He had, on a former occasion, put a question to the noble Lord (the Chancellor of the Exchequer) on the subject; and, if he recollected right, the noble Lord's answer was, that the legal tender was no necessary portion of the question as to the renewal of the Bank Charter. The right hon. Gentleman, the Vice-President of the Board of Trade, had said, that if the Bank were not able to pay in gold, the Bank-note would cease to be a legal tender. Now, let the House imagine the condition of a man who received a Bank-note as a legal tender on Saturday-night, and found it not a legal tender on Monday morning—did that case not show that a legal tender ought to have intrinsic value, or be State paper, for the value of which the State was responsible? Did not that show, that the case supposed would be full of danger? He had heard no arguments in favour of the great change proposed, and many against it. The Bank of England would be exposed, at a time of real panic, to a greater danger than ever. He believed, that the quantity of gold in circulation would be diminished by the change, and that the Bank would put more of its paper into circulation than at present. The Bank would advance its paper at a cheaper rate also than it advanced gold. Its issues would be advanced on different securities too from those it now accepted. It would advance its paper, he believed, on mortgage deeds. He was reminded of a remarkable passage in a letter signed by the noble Lord (Lord Althorp) himself, which stated, that the tendency of these measures would be to extend the circulation of the Bank of England. He believed—it was, indeed, quite certain—that it would extend the issues of the paper of the Bank of England, and diminish the quantity of gold in circulation. No more gold would be kept than was necessary. He believed an agio in gold would speedily follow the making Bank notes a legal tender. He did not suppose that, on the whole, the change would increase the currency; it would probably diminish it; and prices would rather fall than rise in consequence. He should, in the Committee, endeavour to diminish the extent of the Bank monopoly. Sixty-five miles was, he thought, too large a circumference. There were now many reasons, which did not exist when the Bank Charter was formerly renewed, for lessening that distance. He should also suggest in the Committee an alteration as to Banks having more than six partners, so as to do away with many of the restrictions now imposed on them. He concurred in the propriety of renewing the Charter of the Bank of England; but he hoped that the details of the Bill would be amended.

Mr. *Poulett Scrope* declined to divide the House, because many of the Members who would support his Motion had gone away.

Bill read a second time.

HOUSE OF LORDS,

Monday, August 5, 1833.

Minutes.] Papers ordered. On the Motion of the Earl of Rosslyn, a Copy of the Commission for Inquiry into the Burghs, &c., of Scotland.

Bills. Read a third time:—Dwelling House Robbery; Burgh Police (Scotland).—Read a second time:—Scotch and Irish Vagrants; Hyde Small Debts.

Petitions presented. By Lord Suffield, from Leeds, for Equalizing the Duty on East and West-India Sugar.—By the Marquess of Lansdown, from the Burgh of Calton, to be included in the proposed Measure of Reform. By the Earl of Shaftesbury, from the East-India Company, praying to be heard by Counsel against the Bill for the Renewal of the East-India Company's Charter.—By Lord Ellenborough, from Mr. Courteney Smith, against the same Bill; and by the Earl of Gosford, from the Reverend Charles Wodehouse, Prebendary of Norwich, for Alterations in the Liturgy.

East India Company's Charter.] The Marquess of *Lansdown* moved the Order of the Day for going into Committee on this Bill. He should reserve his statement until the noble Baron (Ellenborough) had brought forward his views.

Lord *Ellenborough* proceeded to state his reasons for wishing to postpone the consideration of certain parts of the Bill to next Session. He should first call the attention of the noble Earl (Grey) opposite, to a speech uttered by him on the 18th day of June, 1813, in which the noble Earl 'urged 'the impropriety of going into the discus- 'sion of this question at so late a period of 'the Session, without the requisite information before them, and without the possibility of giving the question that due consideration which its great importance demanded. Were his noble friend,' the noble Earl said, 'instead of asking the delay of a few days, to desire the postponement of the question altogether till the next Session, such a Motion should have his decided support, conceiving that it could not, at this period of the year, meet with adequate deliberation or due consideration.'* The measure which the noble Earl then objected to proceeding with, effected certainly some alterations in the trade to India, but in other respects it left the Charter much the same as before; whereas the alterations in the present Bill were of almost infinite importance, and required great consideration. The great subject-matter of the last Bill, too, had been preliminarily fully investigated and inquired into by a Committee of the House of Commons from 1809; whereas the present Bill, as far as related to the government of India came under their Lordships' consideration but very recently, and without any such examination; for, until the Bill was introduced, no persons but those connected with the Government were aware of its objects and provisions. What he desired, therefore, was the postponement of the clauses making important alterations in the administration of government in India, to the next Session, in order to give an opportunity of examining and obtaining the opinions of those persons most conversant with that subject, and most qualified to give an opinion on the proposed changes. It was true that, in the course of the inquiry which had taken place, some general questions on the subject had been asked; but there was a vast difference between general questions on a general subject, and specific questions on a specific plan. He had on a former occasion endeavoured to show, that there would be an increased charge on the revenues of India, in consequence of the plan of his Majesty's Government, of 400,000*l.* per annum. Taking the evidence between the calculations of the Board of Control and of the Court of Directors, there was at present a prospective deficit of 570,000*l.*, which, added to the 400,000*l.*, constituted a deficit of 970,000*l.* He admitted that the civil expenditure of India might be put upon the same footing as in 1823, and that, consequently, there might be a saving in the expenditure of 650,000*l.* a-year. This would still leave a considerable deficit. There would probably, however, be some increase in the revenues of India, perhaps to the extent of 100,000*l.* a-year; still, if he were correct, it might be found, even allowing largely for the expected improvement, that it would be at least four or five years before the revenue of India was equal to its expenditure. There was nothing which would be more advantageous to the people of India than a reduction of the expenditure of the government. That was not his opinion only—it was the opinion of some of the greatest men who had been in India. Sir Thomas Munro, the highest authority on Indian affairs, said:—'I have, in the course of this Minute, urged again and again the expediency of lowering our land revenue, and of establishing a moderate and fixed assessment; because I am satisfied that this measure alone would be much more effectual than all other measures combined, in promoting the improvement both of the country and the people.' By the plan of Ministers, however, they would postpone for four or five years that reduction of taxation which Sir Thomas Munro considered to be essential to improve the condition of the people. Any surplus revenue which might arise from not reducing taxation, might be advantageously laid out in public works. There was no country in which the public money might be laid out to more advantage than in India, in forming tanks and canals. There was none, perhaps, in which less had been done in India, than by the English Government. If we were to be expelled from that country to-morrow, we should leave few traces of anything beneficial done by the Government for the people. Something of that kind ought to be done. All previous sovereigns had done something, and on this point the government of England was much inferior to the government of the Moguls. In connexion with the new charges to be thrown on the government of India, he could not but advert to the forcible and speedy termination of the Company's trade. In this particular the plan of the present Ministers differed from that which would have been adopted, he believed, had the late Government remained in office. For the sudden suppression of the trade now proposed he saw no good cause. It took place, too, at a time when there was no money at Calcutta, and no commercial credit. There were now no means to carry on commercial transactions—no means of obtaining any remittances, and even those articles were not sent from India which were essential to the completion of many of the manufactures of our own country. The Company had been advised immediately to discontinue their trade, and they were acting on that advice. Their indigo plantations were offered for sale; their cotton was to be sold in India; the goods they had prepared for the China market were to be sold here; their shipping was rendered useless, and was probably unfit for any other employment; their magnificent docks and warehouses were no longer to be employed; and thousands of persons who depended on the Company for their subsistence in the metropolis would be thrown out of work and out of bread. Why should this be? Why should no efforts be made to soften the blow it was necessary to inflict? The result of this mode of treating the subject would be, that full two-thirds of the trade of India would be transferred from London to the out-ports. The trade from India was valued at 6,000,000*l.* sterling per year, and 4,000,000*l.* of this would be immediately lost to London. Why should this be done so suddenly and unexpectedly? He said unexpectedly, for the great majority of the persons connected with the trade did not think a year ago that it would be done, and by the sudden application of this measure a crisis had been unnecessarily forced upon the country. The Ministers seemed to think that a government could not carry on trade, and to that they had sacrificed the India Company. But, however true that might be in general, it was not true as applied to this Company. It had for a long time carried on trade without injury to its subjects, and in carrying on trade it had not neglected the affairs of government. After the destruction of trade, too, in what way, he wished to ask, was the government to make remittances? It would have to go into market with its rupees, and give a price for bills which would cover all the expense of sending goods to England, thus forcing the market to meet those bills. Such a necessity would be much to the disadvantage of the Company, and would be very injurious to the proper course of trade. Remittances could, in fact, only then be made by a sort of bribery on the part of the Company, to create an export trade. However much he agreed with the political economists in thinking that the production of wealth was of great importance, he could not think it right to disregard the sufferings of individuals, or the amount of injury which might be immediately inflicted by a measure, that was ultimately to promote the national greatness. It was consistent with sound and just policy, and most expedient, never to make any great change in trade suddenly, and not to injure individuals who had engaged in occupations, and embarked their capital in business, upon the faith that Parliament would not suddenly change the whole system of trade. Turning aside, however, from the subject, he must draw the serious attention of their Lordships to the great alterations which it was proposed to make in the constitutional government of India. Why were these alterations proposed? The present form of government had existed for more than half a century. Did the Ministers, then, imagine that it was formed by men who had no skill in the management of affairs, and that it might, therefore, be destroyed whenever its destruction was recommended by a modern theory? The existing system was the offspring of men of great genius, of profound experience, and of much practical wisdom; of men who stood in their day in the first rank of practical statesmen. Not to disparage the present Ministers, he thought they might, without humbling themselves, pay some deference to the opinion of Mr. Pitt, and of the first Lord Melville. It was they who framed this system. It had undergone few alterations since. It was formed at a period when the attention of all the clever men in the country was directed to Indian affairs. It had now stood the experience of half a century—and half a century, not of peaceful times, but of times of danger and of war—of danger the most imminent, and of war the most extensive—and it had gone through all these dangers increasing in firmness and power. After having stood the shock of wars, and proved adequate to a great crisis, why was it proposed to alter this in time of peace, and to to strengthen the government — when, according to all experience, the business of government was one of comparative ease? It was unfortunate, but, at the same time, he believed, it would be the necessary effect of altering the China trade, that the influence of the Company in this country would be diminished. He regretted that, because it would have the effect of deteriorating the constituency of the Directors, and ultimately of deteriorating the representatives. The diminished influence of the body of Directors in this country which would be the consequence, would make the Company less efficient as the instrument of government in India. That effect was taking place, in conjunction with others. The Government seemed desirous of disparaging the Company, even while it was willing to retain it as the instrument of governing India. What, for example, could induce the Government to take from the Company the control of those, by whom it would have to carry on the government of India? The Bill removed from the Court of Directors the control of Haileybury College, which disparaged the Court of Directors. What had the Company done, too, that they were no longer to be intrusted with their own property? He saw no reason for this, though he saw what he believed was its object. There was a part of the measure which compelled the Board of Directors to submit their estimates to the Board of Control, and which consequently allowed the Board of Control to fix the sum for the payment of all the officers employed by the Company. The clause of the Bill allowing this was not exactly so worded, but its practical effect would be, to place narrow limits on the power of the Company, and to remove all limitations from the Board of Control; and the consequence of that would be, to place in the hands of the latter Board the whole government of India. At present the real limit to the power of the Board of Control was, the impossibility of extending its establishment. That, however, could now be done, and he had no doubt it would take the initiative in all measures. It would become a Board of Control, antecedent to the acts of the India Company; not, as hitherto, a Board only controlling the decisions of the Company, subsequent to the adoption of them. The practical effect, he contended, of this part of the Bill, would be to alter all the relations between the Board of Control and the Board of Directors; and the former would obtain a complete command over the latter. Let them next look at the effects of the alterations proposed in the government of India. It was proposed to take away from the subordinate Presidencies all control over the expenditure, to take away from them all power to increase salaries, or create places, or perform any one legislative act. The Bill, then, was taking power from the subordinate officers to give it to the Governor-General. He must condemn this part of the plan, and contend, that the consequence would be, that no men of high and independent character would be induced to accept the subordinate Presidencies, which would have to be filled by the civil servants of the Government, advanced by the principle of rotation. That would, he contended, weaken, not strengthen, the government of India. It was to him awful to think how much at present depended on the character of the one man who was Governor General; but if he should be, he would not say deficient of those great qualities which he ought to possess, but not possessing them in a remarkable degree, the Governor General might now fall back on the subordinate Presidents, and find counsel in their resources and talents. He could mention cases in which the abilities of the Governor General had found remarkable assistance from the support of his subordinate officers. But that could not be hereafter the case, when, as he stated, men of high character would no longer accept those offices. He understood that it was the intention of Government to abandon the plan of removing the Councils from Madras and Bombay; but he wished that the provision had not been introduced into the Bill, because it tended unnecessarily to disturb that which had been established for more than half a century. But, if they meant to continue these councils, why had the Government established a Presidency without a Council at Agra? The reason, he believed, why these councils were so very advantageous was, they recorded at the time the reasons which determined them to adopt any line of conduct, and those reasons were very instructive to the Government at home. Another alteration of importance, which he viewed with apprehension, was, the intention to establish one uniform legislation which should apply to all the King's subjects in India, Europeans as well as natives. It was impossible that any system of law could be drawn up which ought to be applied equally to persons so different in habits and circumstances as the Europeans and natives. The noble Baron, in support of this view, quoted the opinion of Sir Thomas Munro to show, in particular, that the Ryots required a law for themselves. "It was as impossible," Sir Thomas said, "to adapt our institutions to India, as to transfuse into a corpse the animation of the living being. It was impossible to make one set of laws for people so different." The noble Baron next referred to that part of the Bill, which granted permission to Europeans to settle in India; and contended, that the power given to the Governor General to make what laws he pleased, placed in his hand the power to remove whom he pleased, while the settlers were mocked with the promise of not being subject to deportation. Under such enactments, no persons would go to India but mere adventurers, and they would settle in the lower provinces, where the timidity of the natives would invite them to commit acts of oppression. He objected also to the power given to the Governor General to make laws for all things, even for the regulation of the Supreme Court, which, he contended, ought to be reserved to the Parliament itself. Investing that Court with all the majesty of the sovereign authority had a great effect in preventing crimes. The Governor General was to have the power of abrogating the statute law and the common law, with the exception only, that he could make no laws to set the subjects free from their allegiance to the King. Such power was not necessary even for the purposes of the Bill, and was hostile to the good government of India. The Governor General was already overwhelmed with details, and more were now to be added. He was already overburdened, and an addition was to be made to his cares of governing 20,000,000 more people; being as many as lived in the whole Peninsula, or in the two kingdoms of Spain and Portugal united. He objected to the plan of admitting both natives and half-castes to offices, because, in his opinion, the latter, by dint of their connexion and superior education, would attain all the offices, while, to the natives, therefore, the permission would only be a mockery and a delusion. This would be very unfortunate, because the natives had a profound contempt for the half-castes, and he was disposed to believe that they were not as trustworthy as the natives. He objected also to the clause of the Bill which declared, that slavery should be abolished in India, and expressed his astonishment, that such a proposition should ever have entered the head of any statesman. He warned the Ministers that at present there was a crisis in the fate of India. It had hitherto been well governed and the dominion of England preserved, because every person connected with the Government was animated with the greatest zeal, but at present all the servants of the Government were filled with despondency, because the Government was uncertain, and they had not the slightest chance or hope of promotion. He conceived that the tendency of the Bill was, to defeat every object which ought to be kept in view. He had contemplated some plans for the improvement of the government of India, one of which consisted in improving the education of all the governing classes, and increasing their zeal by making them all pass through the army. That view had been supported by all those to whom he had mentioned it. He believed it would have the great advantage of making promotion very rapid—of stimulating all with hope, and of allowing the Governor General always to select men of the greatest energy for the places of most difficulty. He had been prepared too, to propose an improvement in the constitution of Haileybury, and to bring forward a plan for accelerating the correspondence. He had taken measures to accelerate that when he was at the head of the Board of Control, and to assimilate the manner of conducting it to that on which the correspondence of the Home-office was conducted. It had been his intention, had he remained in office, to have established a regular communication with India, by steam; for he was convinced then, as now, that unless our subjects in that Empire were brought more immediately under the control of the Government at home, they would be much more likely to do wrong, being without the fear of immediate punishment. Indeed he should never deem India to be placed in a state of security unless there were more expeditious communication with the Government there. He should conclude by moving an instruction to the Committee to omit all such clauses in the Bill as tended to alter the constitution and power of the government of the several presidencies of India.

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* Hansard, xxvi., p. 711.

The Marquess of *Lansdown* thought that the noble Baron had considerably exaggerated the dangers and losses likely to be occasioned by the change in the character and situation of the East-India Company. As a matter of course so great a change as this must involve particular losses to particular individuals; but the benefits which would be derived from it to the community were ample grounds for its adoption. Nor, indeed, was the proposed change anything like a sudden blow, for it had been in the contemplation of all wise men, and almost also all statesmen, for the last twenty or thirty years. The Act of 1813 was itself a change, to a certain extent; and few of those concerned in that measure but looked upon it as a step towards the greater alterations contemplated in the present Bill. However, the same arguments—the same ominous predictions—had been held up in opposition to the modified change of 1813, as to the present measure. Petitions without number poured in from particular classes of merchants, foretelling, as was foretold now, that the measure would destroy the trade of London, by diverting all its trade to other ports; but had these predictions been verified? No: it was true that it had given increase of trade to other ports of England, but, at the same time, it had materially added to the trade of the port of London with India. The noble Baron had laid great stress, too, upon the supposed reflection this measure would cast upon the East-India Company; but he was far from conceiving that any slur would fall upon that honourable body; indeed, he thought it rather extraordinary that such an idea could occur to any man at a time when the Legislature was concocting a measure which would put into the hands of a private Company the whole government of such an empire as India. Nothing but the fullest and most entire confidence in them, justified by past experience of their good conduct and ability in administering the affairs of India, could have induced the Legislature to intrust them with such a charge. Indeed, it appeared to him the proudest day in the existence of the East-India Company to be so honourably intrusted with the government of 60,000,000 of people. With reference to the fears expressed by the noble Baron as to the delay in communication with India, he thought them unfounded. Government was, however, determined to make the most eligible arrangements possible with reference to this important subject. The noble Baron objected to the clause which required that the Company should in the first instance subject the estimates to the Board of Control, but this very clause, he was happy to inform the noble Lord was adopted at the suggestion of the Board of Directors; and so far from there being any intention of adding to the number of the Board of Control, there was proposedto be an immediate diminution. It appeared to him very inexpedient to delay so important a Bill any longer by making any great alterations in it after it had undergone such laborious and frequent discussion in its present shape. He did not see that there was any reason for raising such strong objections to the clauses in the proposed measure with reference to the Governor General, which were rather intended to simplify and confirm the powers of the Governor-General, than augment them. It was most essential that this Supreme-Officer should be possessed of adequate authority. As to the proposed formation of a fourth Presidency, this was rendered essential by the disturbed and lawless state of the upper provinces, which nothing would obviate but the promptness and energy of a local government. The necessity of that part of the arrangement was fully established by the opinion of Lord William Bentinck and other competent authorities. The law could not be maintained nor the north and western provinces be considered secure, unless a local government was established in them. At present the whole of these provinces were in a state of insecurity. And it was to provide against that, that the fourth presidency was established. He begged however to state, that it was proposed to add a clause, whereby it would be provided that a Council should be established in each presidency. It was the duty of Government to make the law effective and equal in India; the necessity for vesting the proposed power in the hands of the Governor in Council had been suggested by the legal authorities in India. With respect to the education of persons intended to be sent to India, he must say, that he had strong objections to the plan proposed by the noble Baron, which would make the education of such persons, whether eventually placed in military or civil capacities, chiefly military. Though fully impressed with the importance of promoting an efficient military establishment, he strongly objected to giving the whole government of that great empire a military character. He had no wish, however, to lay down as a rule, on the other hand, that no military cadet should be admitted to act in a civil capacity. The great object was, to provide, that whoever the person might be who was put into a situation, he should be fit for performing its duties, if not the fittest who could be found—a point which had not been so much attended to as it ought. Hitherto all these appointments had been a matter of patronage and favour, without reference to the qualification of the individual; so that a boy was put into Haileybury College without any reference as to his capability for profiting by the instructions which alone could fit him for his destined position in India. It was now, however, intended to ascertain this point by previous examination; nor did he think that the fear of this examination would deter respectable persons, as seemed to be supposed by the noble Baron, from putting their sons forward to make the trial. There were few fathers who thought their sons open to rejection. This principle of emulation for patronage had been successfully tried by a right hon. Gentleman the predecessor of the noble Baron (Mr.Wynn), who made some of the appointments to India a matter of competition among the Westminster boys —an experiment which had the best results, and which certainly had not by any means had the effect of preventing sons of people of family from entering into competition. Neither would such an effect be produced by the present measure. He believed, on the contrary, that the highest orders would be induced, from a spirit of emulation, to come forward to compete for the appointments. The noble Lord had likewise called upon them to recollect that all the branches of the service of the East-India Company were in a state of despondency. He had expected that the noble Lord would have given some serious reason for this despondency, and he had felt anxious till it was stated. He was greatly relieved, however, when the noble Lord explained that the cause of that despondency was, that the country was now in a state of profound peace—all hope of further conquest being ended, and consequently the hope of quick promotion was gone. In that sense he willingly admitted, there was some despondency felt; but that was a despondency which was common to all countries which had been engaged in a long-protracted war, and returned to a state of profound and lasting peace. The noble Lord's complaint reminded him of the complaint of Alexander the Great, who pined because he had no more kingdoms to conquer. But what was the misfortune of military men—the want of employment, was the happiness of nations, which flourished during the cessation of the soldiers' toils. It was the same in this country, where the army was likewise in a state of despondency from the slowness of promotion, and the little prospect of advancement to high honours and glory, as in India. But would the noble Lord on that account contend that this country had not acquired great and incalculable benefits by the many victories of the noble Duke opposite, and especially by the glorious victory of Waterloo, which had produced that state of peace? He looked on the present state of India, as that country was in profound peace, with sentiments very different from alarm. He thought it was such as to hold out the expectation that the happiness of India would be much increased, and by the continuance of the same state an eventual remission of the present taxes might be granted to the people of that country. He could see nothing in this Bill to entitle the noble Lord to describe it as a Bill by which the period of the remission of taxation would be indefinitely protracted. There might be some small additional expense incurred at the commencement, from the change in the system of government which would be effected, but ultimately the country would be relieved considerably. He thought, therefore, that nothing had been said by the noble Lord which ought to induce the House to consent to the instruction, to divide the Bill, and thereby to defer the advantages which this measure was calculated to give to the Indian Empire.

The Duke of *Wellington* said, that his noble friend (Lord Ellenborough) had objected to the present Bill, on the ground that it protracted the period at which a remission of the taxation on the people of India might be accomplished, to an indefinite period, and that the change to be accomplished was of too sudden a nature. He thought that his noble friend was right in both his views. To the latter objection the noble Marquess had answered, that the change now to be effected was not sudden, for it had been contemplated by the Government which preceded the Administration, of which he (the Duke of Wellington) had the honour to be the head, and it had been kept in view by himself. That was, however, not the case. No change had been contemplated by any former Government, by which the Company was to be prohibited from trading with China. It had been stated, as a reason for this change, that the trade with China had been of late a losing concern. A losing trade! It was a trade which produced not only 10½ per cent on the capital invested in it; but he had a statement in his hand, which showed that, besides the 10½ per cent, the debt of the territorial government had been relieved by the commerce of China, to the amount of three millions sterling. With these facts before them, it could not then be said, that the China trade had not been carried on advantageously. The noble Duke referred to several papers on the table to show, that the noble Lord was right in stating, that the period of the remission of taxation had been protracted by this Bill. The duties on tea, under the new system, would not only be more uncertain, but the expense of their collection would be greatly increased. The amount of duties at present derived from the article of tea alone was three millions sterling, which was collected at an expense of about 10,000*l.* Did they think that such a sum could be collected, under this Bill, at so small an expense, or with anything like the same degree of certainty? He (the Duke of Wellington) objected to the measure likewise on account of the great injury which it would do to the trade of the port of London. At present, the East-India Company carried all their trade to London, and had a capital invested in it, to the amount of between twelve and fourteen millions sterling, all which must be withdrawn in consequence of this measure. Could the House conceive that such a circumstance would be without a very baneful effect on the trade and shipping of the city? Thousands of those at present employed by the Company would be thrown out of employment if this Bill were carried into a law. He doubted if it ever were in the contemplation of the merchants of this country, who petitioned in favour of the opening of the China trade, that the Company's trade with that country should be wholly discontinued. They prayed not for the discontinuance of the trade, but for the removal of the monopoly; and so far was he from thinking that the continuance of the China trade, on the part of the Company, would be disadvantageous to the private traders, he thought that the private trader would derive a great deal of assistance from the Company's servants in that country, who, being already established, would assist them to carry it on with advantage. He, therefore, thought there was no sufficient reason given for putting down the East-India Company's commerce with China. He agreed with his noble friend (Lord Ellenborough) in thinking that the East-India Company had been treated with little courtesy, in the manner in which the Bill was introduced. Their opinion had never been asked on any single provision of the Bill; and their influence in the government of India was to be so much reduced, that it was nearly impossible they could exercise it with advantage. There was a material difference between the power given to the Governor General in Council, by the Act of 1813, and the present Bill. The difference was, that, by the present Bill, he would be empowered to enter more into the details of the acts of the Governors of the other Presidencies, than he was by the former Act. Formerly, the Governor General had merely a general superintendence of the governments of the other presidencies, but now he would have to go into the details of their governments. And, at the same time that he was empowered to go thus into the details of the acts of the other Governors, the number of his Council was increased from three to six. Now, he would ask the House if they thought that the Governor General would be better able to manage those additional details with a Council consisting of six, than one of three persons? The addition to his Council would alone occupy more of his time than formerly, and prevent him paying that attention he ought, to the general superintendence of the affairs of India. The Governor General would, he believed, be involved in details. He concluded, that the intention was, that the Governor General should have two Councils—one to assist him in the control of the government of India in general, and another to assist him in that of Bengal. He (the Duke of Wellington) was satisfied that the measure would require alteration, in respect to the powers to be given to the Governor General, and likewise in respect to the number of his councillors. He was one who thought that the Governor General should have a general control over the government of the country; but that the Governors should be allowed to manage the details of their own presidencies, and that they should be liable to account for the manner in which they conducted those details, not so much to the Governor General, as to the Government at home. He thought it impossible that the plan by which the Governor General was to move about from place to place, could work well in practice. He objected also to the new Presidency, both on account of the great expense which it would entail, and because, in his opinion, the same advantages might be obtained by a continuance of the system at present pursued. He felt decidedly opposed to the Law Commission, because he felt satisfied that a uniform system of laws could not be formed for the whole of India. There was as much difference between the inhabitants of the different parts of our Indian empire, as there was between the nations of the north and south of Europe. He had no objection, however, that the Governors should have the power of framing laws for particular districts, which should be submitted to the Governor General for his approbation. Then, with respect to the clause, declaring the natives to be eligible to all situations. Why was that declaration made in the face of a regulation preventing its being carried into effect? It was a mere deception. It might, to a considerable extent, be applicable in the capitals of the Presidencies; but, in the interior, as appeared by the evidence of Mr. Elphinstone, and by that of every respectable authority, it was impracticable. He certainly thought that it was advisable to admit the natives to certain inferior civil and other offices, but the higher ones must as yet be closed against them, if our empire in India was to be maintained. With respect to the clause abolishing domestic slavery, he entreated their Lordships to give it their most serious attention. He knew, as a fact, that domestic slavery existed to a large extent in India; the Governor General in Council had already power to redress any abuses under it, and he called upon their Lordships to deal lightly with the question, as they valued the maintenance of British India. After a short explanation of what had fallen from his noble friend (Lord Ellenborough) with respect to the power given by the Bill to the Governor General of altering all the laws, the noble Duke said, that he had now gone through the points he had felt it his duty to touch, and, in the course of the Committee, he should take an opportunity of recording his objections. He must again repeat, that he was extremely anxious that the House should weigh well the consequences of shutting out the Company from all trade with China, and he should rejoice much if it was not considered too late to amend that part of the Bill. He fully concurred in the views taken by his noble friend who had moved the Amendment.

Lord *Auckland* contended, that to leave the trade in the hands of the government of India would only be an injury to them, and a still greater one to the general interests of the country. All experience had shown, that where the Company had come into competition with the free traders of this country, they had been completely beaten out of every market. He was satisfied, therefore, that their trade in tea would soon dwindle to nothing when exposed to the same competition. As to the remittances, he had no doubt that in a short time they would speedily be effected by bills, without inconvenience. With regard to the distress that would be at first inflicted upon the port of London, by the destruction of the East-India Company monopoly, he could only say, that it was one of the misfortunes of such monopolies to draw about them a sort of factitious industry, which must give way as soon as fair competition in trade was allowed to operate against them. But the advantages which such bodies possessed were enjoyed at the expence of the community at large, and could not be justified. The particular injury likely to accrue, therefore, would be more than counterbalanced by the public benefit. The noble Lord then referred to the increased tonnage of shipping employed in the trade to the east of the Cape of Good Hope since the opening of the trade, as a proof of the great national advantage resulting from getting rid of monopolies. He also defended the clause relating to the abolition of slavery, and maintained that it had been framed with the utmost caution consistent with the destruction of an odious system; as well as the utmost care not to interfere with the domestic manners of the natives.

Lord *Ellenborough*, in reply, stated, that the low profits of the Company were partly occasioned by the restriction, compelling them always to keep on hand two years consumption of tea, and by the great fall in the price of coffee, which had beaten down the price of tea. He admitted that remittance would be made by bills, but it would be at a great expense. He still maintained his opinion, of previously giving the officer a military education, for none of the Presidents of India had been superior to those who, like Sir John Malcolm and Sir Thomas Munro, had received a military education.

The Amendment negatived; the House went into Committee.

Clauses from 1 to 48 were agreed to, with verbal amendments.

The House resumed—Committee to sit again.

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HOUSE OF COMMONS,

Monday, August 5, 1833.

MINUTES.] Bills. Read a third time:—Privy Council.

Petitions presented. By Mr. DENISON, from Farnham, for an Alteration in the Labour Rate Bill.—By Mr. WOLRYCHE WHITMORE, from Wittenhall, for the Abolition of Slavery; from British Residents in Calcutta, for Reducing the Duty on East-India Sugar and Rum.—By Mr. E. B. CURTEIS, and Mr. HILL, from several Places, against the Scotch and Irish Vagrants' Bill.—By Lord MORPETH, from Brechin, in favour of the Factories' Regulation Bill.

—By Mr. Lee Lee, from Shipton Beauchamps, against the Tithes' Commutation Bill.—By Mr. Brocklehurst, frrm Macclesfield, against a Reduction of the Duty on Foreign Thrown Silk.—By Mr. Warburton, from the Medical Practitioners of Norwich, against the Apothecaries Bill; and from the Physicians practising in London, for an Inquiry into the State of the Profession.—By Mr. G. F. Young, from North Shields, in favour of the Sea Apprentices' Settlement; from Tynemouth, against the General Register Bill; from the Shipowners of the Port of London, for the Repeal of part of the London Port Duty Act; from Shadwell and Wapping, against Impressment; from the Ship Owners, &c. of London, against the Registry of Vessels Bill, and for Reducing the Amount allowed for the Repairs of Ships in Foreign Ports.—By Mr. F. Shaw, from the Taylors of Dublin, in favour of the Kingstown Ship Canal.—By Mr. Cayley, from the Protestant Dissenters of Lofthouse, for Redress of Grievances; from Kirby and Cleveland, for the Abolition of Tithes.—By Sir Samuel Whalley, from Colonel Brady, complaining of Injustice and Oppression.

CORPORATION OF NORWICH.] Mr. *Lennard* presented a petition, signed by 8,000 respectable inhabitants of Norwich, complaining of gross abuses in the Corporation of that city. The hon. Member referred to the petition that had been presented to that House, complaining of the return of the sitting Members, and alleging the existence of bribery on their parts, and of general corruption in the city of Norwich. The charge of bribery was undoubtedly disproved; but the allegations of corruption were completely borne out. There could be no doubt that a system of extensive corruption existed among the inhabitants of both parties; and he regretted that the evidence taken before the Committee had not been printed that the House might have determined whether or not it might not have been fit to take further steps to insure the purity of elections at Norwich. He repeated the election petition contained two allegations — the one of bribery against the sitting Members, which was disproved; the other of a general charge of corruption, into which the Committee would not inquire. He would not impugn their conduct, for which he knew there were precedents; but it was certainly natural that the petitioners should complain that half their charges were left untouched.

Sir *James Scarlett* thanked his hon. friend for giving him an opportunity of rebutting in person the many atrocious calumnies which had been advanced against his noble friend and himself. Nothing could be more false and unfounded than the imputations which had been thrown out on the subject. As far as he had any knowledge of the case, there never had been an election for Norwich to which such imputations were so little applicable. It was certainly impossible to expect that, in a constituency of above 4,000, there would not be partizans on both sides whose zeal would induce them to overstep the line of duty. He believed, however, that, at the late election, there were very few such cases; and he also believed, that the majority of them were in the ranks of his opponents. To show the candour of those by whom his noble friend and himself had been attacked, he would merely state, that an attempt had been made to persuade the Committee that the conduct of a member of the Corporation, which had relation to the election of Sheriff, had relation to the election of his noble friend. His hon. friend had said, that the members of the Corporation, having certain patronage, exercised it in behalf of their friends. Was there anything peculiar in that? It was the practice of the Ministers of the Crown to use their patronage in favour of those by whom they were supported, either in or out of that House; and he had never heard it imputed to them as a crime that they did so. He hoped, however, that if it were to be made criminal in a Corporation to give places to their friends, they would go higher, and make it criminal in a Ministry. To him this appeared to be an excess of purity. If, indeed, unworthy subjects of patronage were chosen, that would be a just cause of complaint; but otherwise he did not see how they could ground a charge against any Corporation or Administration, for using their patronage in behalf of those who were in their interest. As to the Corporation of Norwich, it was at present in that most desirable state to which it was wished to bring all Corporations—namely, that the elections were all popular. The constituency was numerous. Contested elections naturally generated heat and animosities; and there might have been improper cases at some of them. He knew of none; except that in the Court of King's Bench he had seen informations laid against Members of the Corporation: some of whom were punished, and all of whom were put to great expense. That was the proper tribunal for such cases. As to the Committee it could best defend itself. The Members of it were as little connected with him, as were any thirteen Members in that House. In politics, the greater part of them were opposed to him. As a proof, however, of the mistaken views of a disappointed partisan, a Norwich paper declared that the Committee had been bribed by his noble friend and himself.

SIR JOHN KEY.] Mr. Harvey moved that a new Writ be issued for the Election of a Member for the City of London, in the place of Sir John Key, who had accepted the Chiltern Hundreds.

Sir *Henry Hardinge* said, the Motion which had been made would of course prevent him moving for the Committee of which he had given notice, as far as the breach of privilege was concerned. But the petition he had to present referred to two points; first, the breach of privilege; and secondly, the conduct of the Government in appointing the son of Sir John Key to the situation of Storekeeper in the Stationery-office. He had no vindictive purpose whatever in view, and he should say nothing regarding the hon. Baronet in his absence, which he would not have said had he been present. The petitioners, twenty-six or twenty-seven in number, stated that they were engaged fairly in trade, and they complained, that by the late appointment of Master Key (a youth of eighteen years of age) to the office of Storekeeper, in which capacity he had to judge of the quantity and the quality of the goods sent in for the service of the Stationery Office, they were deprived of their chance of an equitable competition in their trade, as those duties ought, and could only be properly performed, by an individual of solid judgment and experience. This young gentleman filling such a situation, and his own father being a contractor for stationery, what security had the other portion of the trade that their wares would be fairly judged, or the public that their interest would be fairly and impartially considered? He looked, and it was the duty of the House to look, to the principle which was involved. If this young gentleman was only eighteen years of age, it was impossible he could enter into the bond required by law; and being so connected, it was nearly impossible that strict impartiality could govern his actions. He understood from the noble Lord (the Chancellor of the Exchequer) that the young gentleman was no longer in office, and that neither the noble Lord nor Earl Grey was aware of his appointment. He could only, of course, suppose that Master Key had been appointed on the supposition that he had attained his majority; but, whatever were the circumstances connected with the case, it was absolutely necessary that the public should have a guarantee that it should not occur again. The petitioners prayed that their interests might be protected, in common with others. He felt compelled, in obedience to that prayer, and to the prayer of another petition, which he had to present on the same subject, to move, after they should have been received, for a Committee to inquire into the circumstances which led to the appointment of Master Key to the office of Storekeeper of the Stationery. The right hon. Baronet then moved, that the petition from certain stationers be read at length. The most important allegations in it were, that the Government contract for paper which amounted to 60,000*l.* was nominally with Sir John's elder brother, who had long since retired, and had now nothing whatever to do with business, but beneficially Sir John himself; and that Master Key had never been at the office since his appointment; but that his father attended every day, and superintended the reception of his own paper, which was unloaded from his own carts.

Lord *Althorp* said, that, of course, the House would expect him to give some explanation of what had taken place with respect to this appointment. The custom of the office had been, that the person who had been appointed under the Comptroller, in the situation lately held by the son of Sir John Key should have been engaged in the stationery trade, and they generally had been persons who had not succeeded in business. On the late vacancy occurring, the Comptroller stated his wish that a younger man than those generally appointed might have the place, as the persons formerly appointed were not always equal to the discharge of their numerous duties. Mr. Key was appointed, not in the belief that he was eighteen, but on the statement that he was twenty-two years of age. On his appointment the Comptroller did not mention that his uncle was the person who had anything to do with the contract with the Government, but on the appointment being made, the Comptroller took care that the article to be furnished under the contract should be inspected by another person. The Treasury, however, had not the least idea, from the beginning, that the contract was in the hands of the uncle of the person who had been recently appointed. The arrangement he had mentioned was made by the Comptroller of the Department. He need hardly tell Gentlemen opposite, who were well acquainted with the nature of these things, that he individually, had nothing to do with the appointment, and that he was not aware of any of the circumstances till yesterday or Saturday se'nnight, when a friend wrote to him to say what had taken place. He immediately represented it to the Board of Treasury; the consequence of which was, that the appointment was directly afterwards cancelled. Certainly nothing could be more improper than to appoint to such an office a connexion of the person who had the contract. And there was no person who knew what his duty was that would think of making such an appointment. When the application for the office was made, it was represented that the young man was of age, and the Comptroller had said, that he wished a younger man than those generally appointed to be in the office, and stated it to be his opinion they should not be more than twenty-five to thirty years of age. It had always been considered that a man connected with the trade should be appointed, and that reason had been urged with reference to Mr. Key. As soon as it came to the knowledge of the Government that circumstances of impropriety existed with regard to the appointment, that appointment was cancelled. If Sir John Key had retained his seat in that House, it would have been proper to inquire into his right to do so, but now as he had no longer a seat there, he (Lord Althorp) submitted to the right hon. Gentleman, whether Sir John Key, being liable to prosecution for penalties, it would be fitting in that House to pursue the inquiry at the presentmoment.

Sir *Robert Peel* said, that it appeared to him that the most strange part of the whole proceeding was, the Motion making it doubtful, whether Sir John Key was still entitled to be a Member of that House. He regretted that Sir John Key had been allowed to vacate his seat, for if the vacancy happened at all, it should take place in execution of the law, and not in avoidance of it. If Sir John Key had been a contractor with the Government, his seat was void by the law; and they ought to have an opportunity of knowing whether it was so; and he ought not to be permitted, by the interference of the Executive, to avoid the question, whether he was a fit person to have a seat in that House. This House of Commons dared not refuse to inquire. If the statement made in the petition was correct, he would venture to say, that under an unreformed Parliament no Government would have permitted such a transaction, nor any House of Commons have allowed it to escape inquiry. The Act by which contractors were prevented from sitting in Parliament was passed in consequence of that memorable resolution of Mr. Dunning in 1782—"That the influence of the Crown has increased—is increasing—and ought to be diminished." That Act contained provisions declaring, that no man entering into any contract for the supply of articles for the public use should have a seat in Parliament, and that no man in Parliament should enter into any such contract, and retain his seat; and it further declared, that "in every such contract, agreement, or commission, shall be inserted the condition that no Member of the House of Commons shall be admitted to have directly or indirectly, any share in the gains, profits, or benefits arising therefrom." Was that condition inserted in this contract? If so, after that could it be permitted that Sir John Key should become the contractor. That matter deeply affected the honour of the House, which was bound to inquire how such a transaction could take place. It appeared that the contract was nominally entered into with Mr. Muggleston Key, but really with Sir John Key. If it were possible to evade this Act of Parliament, and to permit the brother of a Member nominally to enter into a contract, while the Member himself was the virtual contractor, and would become entitled to all the advantages of the contract, that ought to be met by an immediate legislative remedy. In the petition presented by his right hon. friend it was stated that it was capable of proof that Sir John Key, being a Member of Parliament, was the real contractor; that that contract was for paper amounting to a sum of 60,000*l.*; that Sir John Key's brother had retired from business, and that Sir John Key himself supplied the articles, and was in daily communication with the Stationery-office on the subject. He repeated, that they ought to have an opportunity of knowing whether these were the facts, in order if the law could be so evaded, that they might apply a remedy. But superadded to all this was the statement that Sir John Key had got his son placed in that office, by which the quality and the quantity of the article furnished were to be ascertained. The noble Lord said that nothing had been stated at the Treasury of the age of this young man. That ought, however, to have been inquired into. It was the duty of the person at the head of the department to which he was appointed, not to acquiesce in that appointment, but to remonstrate against it on account of the young man's age; he should have made a representation to the Treasury, for although the youth was the son of a stationer, it was impossible that he should be practically acquainted with the business, any competent knowledge of which his age must have precluded him from acquiring. It was not sufficient to say, that his relationship was not known—his age ought to have disqualified him; he had to enter into a bond for the satisfactory performance of his duties, and it was impossible he could enter into any valid bond at that age. He knew nothing of these circumstances, except by the petition which had been presented; but he thought the House of Commons owed it to their honour and character to institute an inquiry, not for the purpose of obtaining penalties, but of ascertaining how such a transaction could have occurred and of preventing it in future.

Lord *Althorp* trusted that, though he had already addressed the House, he might be permitted, after the attack which had been made upon the Government generally, and upon himself personally, to address the House again, and to explain the circumstances under which Sir John Key had obtained the office which had enabled him to vacate his seat. He would state the grounds under which Sir John Key had been permitted to accept the stewardship of the Chiltern Hundreds. He admitted that, under existing circumstances, he did not view the granting of Sir John Key's application for that office quite as a matter of course; but he likewise felt that the effect of giving that office to Sir John Key would not withdraw him from the liability which, provided he was a contractor, he had incurred, of being prosecuted for the penalties to which every contractor was subject who presumed to sit and vote in Parliament, and that it would not place him in any better position than that which he occupied at the present moment. On the best consideration that he could give to the matter—and the House would recollect that he had not any long time given him for consideration—he was of opinion that no harm could accrue from giving to the hon. Baronet the appointment which had enabled him to vacate his seat. Now, the right hon. Baronet had attacked his Majesty's Government as if they had knowingly given this appointment of storekeeper to a young gentleman of the age of only eighteen years and a half.

Sir *Robert Peel;* No; I said that the Comptroller ought to have reported to the Government the age of the person appointed to the situation, and that the Government ought to have remonstrated against the order making the appointment, which it did not appear that they had done.

Lord *Althorp* said, that he did not rise to defend the Comptroller, but the Government—for the imputation which the two right hon. Gentlemen had cast was cast upon the Government, and was cast upon the Government on this ground—that it had appointed an incompetent young man nearly connected with the contractor, to a situation, where he would have to control the contractor's supplies. He had not stated that the contractor had said that the young man's age was twenty-two. That representation had been made to Earl Grey when application had been made to him for this appointment. What he (Lord Althorp) had said was, that the Comptroller had not stated what the age of the young man was, and had not mentioned that he was in any way connected with the contractor. The Comptroller made an arrangement without any communication with the Treasury, by which the inspection of the paper sent in by their contractor was taken from the young man. He must add, that no person connected with the Treasury was aware that the contract was where it was, or that the young man was connected with the contractor. As to the appointment of a Committee, he had merely suggested that it was questionable whether the House ought to consider the matter as a breach of privilege, there being no longer a breach of privilege, in consequence of Sir John Key having vacated his seat. He assured the House that he had no wish to screen any party, and if any hon. Gentleman wished for inquiry, he would be the last man in the House to object to it. He appealed to the hon. and gallant Officer opposite whether he (Lord Althorp) had not written to him (Sir Henry Hardinge) that morning, and told him that he would not object to inquiry if it were demanded. He had only expressed a doubt whether, as Sir John Key, if he were a contractor, had rendered himself liable to heavy penalties for having sat and voted in Parliament whilst a contractor, it would be right to institute an inquiry into a matter which might afterwards become the subject of legal investigation. The tone which the right hon. Baronet had taken in the course of his speech seemed to assume that Government had done that which he admitted would have amounted to gross misconduct if they had done—namely, appointed the nephew of a pretended contractor, but as it was alleged the son of the real contractor, to an office overlooking the performance of the contract, for which he was moreover otherwise disqualified. He asserted, that Government had no knowledge of any such facts; and that from the very first moment in which he became aware of them, he had said that they must be corrected, and that a change must take place in the arrangement.

Mr. *O'Connell* said, that the assent which the noble Lord had just given to the appointment of the Committee was the very best answer the noble Lord could have given to the Motion. There was no reason why Sir John Key, because he shrunk from Parliament, should be allowed to get rid of the prosecution for penalties to which he had laid himself open by sitting and voting in Parliament after he had become a contractor. It was singular this first trait of a reformed Parliament—namely, that the brother of a Member of Parliament should get a contract from the Government, and then that contractor's nephew, the son of the Member of Parliament, should get a place where he had to judge of the mode in which the contract was performed, not for his merits, for they were unknown, but for his demerits, he being only eighteen years old, and without experience. How was it, he would ask, that this young man had got the place? Sir John Key had voted for the Coercion Bill, and for the Resolution which rescinded the vote of the House repealing the Malt-tax, and for those votes his son was rewarded with a place of 400*l.* a-year. This was a very extraordinary way for the son of a Member of Parliament, representing a popular constituency like the city of Dublin, to get a place. He had made a mistake—he did not think that the sons of the member for the city of Dublin had any great chance of getting a place. The son of the member for the city of London had, however, got a place. He contended that the present was a monstrous case, calling for examination and decided censure on somebody, and he was glad that the House was now going to examine who the parties were that deserved it.

Mr. Secretary *Stanley* was exceedingly gratified that his noble friend had given his assent to a Committee of Inquiry, for sure he was, that the more inquiry was made into the circumstances of this case, the more would it contradict and refute the insinuations of the two hon. Gentlemen. He thought that the vindication of his noble friend, and of the Government with which he was connected, was now complete. It was not for the Government to say, that gross misconduct had not taken place somewhere, and he (Mr. Stanley) was exceedingly gratified that by the inquiry which was now to be instituted, that misconduct would soon be laid bare and open. His noble friend had stated the case on behalf of the Government, and as he did in all cases where he himself (Lord Althorp) was personally concerned, plainly and simply, and without any wish to gain a vote by ornament or eloquence; on the contrary, he had rather understated than overstated the defence of Government on this occasion. This was the individual case of the Comptroller of the department. An application was made for an office in it by a gentleman who was represented to be twenty-two years of age, when, in point of fact, he was only eighteen. The office was filled up, and he trusted that the hon. Gentleman opposite would not consider it as a disqualification of the holder that he was a supporter of the existing Government. On the contrary, the Government had been frequently abused for not disposing of its patronage among its own supporters. The charge had been brought against the Government over and over again, and by no person more frequently than the hon. and learned Gentleman. He would admit, that an improper person had been admitted to the office. That person had not the qualifications which he was represented to have; he was only eighteen years of age—not twenty two as had been stated, and, moreover, he was not competent, either by his knowledge or his experience, to perform the duties of this office. As soon as this came to the knowledge of the Government, the party holding the office was informed of it. The appointment took place in the month of June, he forgot the exact day; on the 28th of July it was represented to the Government that the person holding it was only eighteen years of age, not twenty-two; on the 29th a communication was made by his noble friend to the Stationery-office, and also to Sir John Key; and on the next day Mr. Key resigned, and a Treasury minute, cancelling his appointment, was issued before a single word had been uttered about laying all the circumstances of this case before the House of Commons. Here, was a complete vindication of the conduct of the Government. He was not there to inquire into the conduct of the Comptroller; he was not there to inquire whether he was cognizant of Mr. Key's age or not. The Comptroller was not an officer appointed by the present, but by the former, Government. If he had not fulfilled his duties, he was responsible for it. For his appointment the present Government was not responsible. For the contract in Mr. Key's name they were responsible, but for cancelling Mr. Key's appointment, when they learned the circumstances attending it, they claimed their share of credit; and he rejoiced that his noble friend, in assenting to this inquiry, would bring all the circumstances connected with this transaction fairly under the consideration of the public. The hon. Gentleman had said, that Mr. Key was connected with one of the parties to this contract. Now, it ought to be recollected that the contract was not made with Sir John Key, but with his brother. It was also possible to evade the law by one person making a contract in the name of another, and it was matter of extreme difficulty to detect these evasions. Besides, it ought not to be forgotten that the contract was not matter of favour and appointment by the Government, but was decided upon legal tender and by public and open competition; and in this instance, as his noble friend said. the contract of this year was five per cent lower than the terms of the contract last year. This contract did not come either before the Government or before the Treasury—the lowest bidding was taken—and that bidding was in the name, not of Sir John Key, but of Mr. Jonathan Muggleston Key. Whether the Comptroller and the Gentleman at the head of the Stationery-office, ought or ought not to have been ignorant of the connexion between these two gentlemen—whether they ought or ought not to have reported it to the Government—whether the Comptroller should have remonstrated or not against the appointment of a youth of eighteen to the office of storekeeper, was not at present the question. The whole case was to be inquired into; though he thought that his noble friend was quite justified in doubting the propriety of bringing this case before the House of Commons, as the penalties for which Sir John Key might be sued were of heavy, indeed enormous amount. He rejoiced, however, that the House of Commons was going to take this question into its cognizance; and he was sure that, in spite of the imputations which had been cast upon the Government, it would go into the inquiry with clean hands, and come out of it with an untarnished reputation.

Lord *Stormont* asked, whether Earl Grey, when he gave this place to the young man, was aware that the uncle of this young man was the person who had taken the contract?

Lord Althorp replied in the negative.

Petition laid on the Table.

Sir *Henry Hardinge* declared, that it was not his intention to do anything by which Sir John Key could be placed in a more prejudicial situation than that in which he had placed himself at present. He should be extremely sorry that any inquiry in the Committee should bring before the public such proof as would be necessary to support a prosecution against Sir John Key for the penalties to which he had rendered himself subject if he had sat and voted in Parliament after he had become a contractor. His object was, to do justice, and if blame attached to any quarter, to let that blame fall where it was deserved. He did not intend to bring any accusation against the Government. He had said, that ignorance or carelessness might be attributable to them, but after the letter which he had received from the noble Lord, containing his disavowal of the transaction, he did not think that it would be fair to make insinuations either against the noble Lord or the noble Earl at the head of the Treasury. Whilst he was anxious to appear to do nothing vindictive against Sir John Key, he still felt that he had a duty to perform towards the petitioners; and that duty he must perform by moving for a Select Committee to examine into the allegations of their petition.

Committee appointed.

MINISTERIAL PLAN FOR THE ABOLITION OF SLAVERY.] On the Motion of Lord Althorp, the Slavery Abolition Bill was recommitted. On the Committee coming to Clause 10th, relating to apprenticeships,

Mr. *Fowell Buxton* proposed to add to it this proviso:—"That where the legal quantity of provisions was not given to the slave, and that was made apparent to three Justices, and that where, on demand being legally made for such quantity, in consequence of an order issued by those three Justices, a refusal to comply with the order was given, an end should be put to the apprenticeship of the slave, and he should be released from his indentures."

Mr. Secretary *Stanley* objected to the Amendment. The principle of the Bill was to leave these minor details to the Local Legislatures, and it would be an unwise deviation from the general rule to fix a specific penalty for the violation of local enactments. He requested Mr. Fowell Buxton to leave it to Government to frame instructions to the Governors of the different colonies. If those instructions should not be attended to, then Parliament would be at liberty to interfere.

Amendment withdrawn.

Mr. *Bernard* proposed an Amendment, to the effect that the laws applying to the apprenticeship of freemen should be applicable to the slaves when apprenticed, after June 1st, 1834.

Mr. Secretary *Stanley* opposed the Motion. The laws as to apprenticeship were not in force in the colonies, and the Amendment, therefore, would be of no avail.

Amendment withdrawn.

Mr. *Fowell Buxton* said, that the next consideration which he had to press upon the attention of the Committee was the necessity which existed for taking especial care to ensure to the children who should be born after this Bill had passed, all the blessings of freedom to which they were therein declared to be entitled. Another consideration for their attention was, the fact that as the condition of slavery degraded and debased the human mind to a degree to render those who had once endured it scarcely capable of receiving that advantage from freedom which freemen ought to have, he thought that all children under the age of six years ought to be exempted from the term of apprenticeship, in order that they having altogether escaped the debasement consequent upon slavery, might arrive at manhood in a frame of mind equal to bear their free condition, and to avail themselves of that blessing. These reasons, he considered, were sufficiently strong to justify him in proposing an Amendment to the clause to that effect.

Mr. Secretary *Stanley* said, that perhaps he might be able to offer some strong objections to the hon. Member's intended Amendments, which would have the effect of saving the Chairman the trouble of putting them. In the first place he was ready to admit that the apprenticeship of the negro was a choice of evils, and was only to be looked upon in that light. In the second place, the apprenticeship of the negro infant was a humane provision intended to guard against the possibility of an orphan, or a child of parents unequal to its support, being cast upon the world without any means of livelihood, and consequently of being subjected to the chance of starvation. If this were not done and the master were compelled to support such destitute children, it would be an additional hardship on him, against which, however, the Bill fully guarded by giving him in return the advantage of the child's labour, such as it might be. The Amendment of the hon. Member, therefore, if carried, would only defeat his own humane intentions.

Dr. *Lushington* said, that if he thought the clause was to extend only to destitute children, he should not object, but he feared that the effect would be to carry slavery to a much greater extent than was intended by the principle of the Bill. When he found that there was in most of the colonies, a fund for destitute children, and when he found that the number of whites relieved by that fund was as nearly twenty to one compared to those of the black population, though the latter were so much more numerous, he thought it would be no great addition to the burthens of that fund if all the children of the black population who might be left destitute should be thrown upon it. Even if it were a small increase of expense, and he did not think it could be very great, it would be better to adopt that course than place the children in such a state of half bondage until they attained the age of twenty-one years.

Mr. Secretary *Stanley* said, that the children thus apprenticed would be in the same situation as apprenticed labourers. The clause was, that if any such children under six years of age should be destitute—that was, without parents or any friends to claim them—the special magistrate should be authorized to apprentice the child to the master, or to any other person, as circumstances might render necessary.

Dr. *Lushington* was not satisfied with the proof that the child would not be able to support itself. [Mr. *Stanley* here observed, that that would be decided by the special magistrate.] He was not, however, satisfied with that mode of deciding. He thought the clause quite nugatory as applied to slave children.

Mr. *Briscoe* took the same view of the case as the hon. and learned Member who spoke last, and would take the sense of the House on the clause.

The Committee divided on the Amendment: Ayes 30; Noes 65—Majority 35.

List of the Ayes.

Brotherton, J.
Blake, Sir F.
Burdett, Sir F.
Briscoe, I.
Buckingham, J. S.
Brocklehurst, J.
Christmas, W.
Collier, John.
Cornish, James
Ewart, W.
Evans, W.
Fenton, John
Faithfull, G.
Fancourt, C. S. J.
Goring, H. D.
Hardy, John
Harland, W. C.
Hawes, B.
Humphery, J.
Johnstone, A.
Lushington, S.
O'Dwyer, A. C.
Plumptre, J. P.
Ruthven, E. S.
Sinclair, G.
Sullivan, R.
Tooke, W.
Vigors, N. A.
Wedgwood, J.
Wilks, J.

TELLER.
Buxton, F.

Mr. Hardy proposed that the indentures of female apprenticed negroes do expire when they reach their eighteenth year; that being a marriageable age.

Mr. Secretary *Stanley* saw no reason whatever to assent to the Amendment.

The Committee divided on the Motion: Ayes 37; Noes 43—Majority against the Amendment 6.

List of the Ayes.

Aglionby, H. A.
Barnard, F. G.
Blake, Sir F.
Bouverie, —
Brodie, W. B.
Buckingham, J. S.
Buxton, T. F.
Evans, W.
Ewart, W.
Faithfull, G.
Fitzgerald, T.
Gisborne, T.
Handley, W. F.
Hawes, B.
Harland, W. C.
Hume, J.
Humphery, J.
Johnston, A.
Locke, W.
Lushington, Dr.
Mullins, F. W.
Oswald, J.
O'Dwyer, A. C.
Plumptre, J. P.
Potter, R.
Ruthven, E.
Sheppard, T.
Skipwith, Sir G.
Sinclair, G.
Sullivan, R.
Tooke, W.
Tower, C. T.
Vigors, N. A.
Wedgwood, J.
Wilks, J.
Williams, Colonel
Wilmot, Sir E.

The original Clause agreed to.

Mr. Secretary *Stanley* moved to strike out the 53rd clause, in order to substitute a provision extending the 52nd George 3rd, to colonies, wherein acts repealed by that statute were still in force. In all other cases he was willing to leave matters as they stood. The effect of the change would be in favour of Dissenters.

Mr. *Fowell Buxton* wished to know whether Government had received information from Jamaica of any disposition on the part of the legislative assembly to defray the expense of rebuilding the chapels that had been destroyed in that island?

Mr. Secretary *Stanley* could not say that he had heard of any such steps having been taken; but the subject would be one of the earliest submitted by the Government to the consideration of the local Legislature.

Motion agreed to.

Lord *Althorp* brought up the clauses providing for the raising of the grant of 20,000,000*l.* He observed that it had been suggested by the right hon. member for Harwich to introduce a proviso enacting that no money should be raised under the Act except during the sitting of Parliament; and, further, that the terms of the contract should be laid on the Table. He saw no objection to this. It was understood that the Legislature was pledged that the loan should be positively raised, but it was right that Parliament should have an immediate check upon the Government as to the terms of the contract.

Mr. *Hume* asked whether Parliament was to have a control over the terms of the loan?

Lord *Althorp* replied, that the contract made by the Government would be final, but Ministers would be liable to the censure of the House if the terms were disapproved of.

Mr *Hume* thought that Parliament should have a control over the terms of the loan—at least the House ought to know the plan of providing for the interest.

Lord *Althorp* said, that the interest must be provided for by Parliament at the time: he had frequently before stated that the mode contemplated was by a tax on colonial produce. When the contract for the loan was made and charged on the Consolidated Fund, he was sure that if a necessity arose for supplying any deficiency in the Consolidated Fund, Parliament would be prepared to do so; but he did not know that there would be any necessity for a new tax at all: the revenue was progressive, and would necessarily continue so (such was his opinion). However, if a new tax should be necessary to provide for the interest, it would be for Parliament to decide in what manner it should be imposed.

Mr. *Hume* asked whether the contract would be open.

Lord *Althorp* answered that it would: there was a provision in the clauses he had brought up to that effect. However, there was one exception to an open contract, which was, in case the Commissioners for the redemption of the national debt should be able to undertake the matter without going into the market at all.

Mr. *Wilks* was not unwilling to pledge the Legislature to a grant of 20,000,000*l.* but thought that the terms of the contract should depend on the ratification of Parliament—a reformed House of Commons ought not to trust any Ministry to the extent now proposed.

Lord *Althorp* observed, that the mode in which it was proposed to raise the loan would be the most advantageous both for the West-India proprietors and the public. It would enable the Commissioners for the management of the national debt to make the best bargain they could for the public.

Mr. *Wilks* said, that Parliament had always, in the instance of former loans (and of loans, too, of a far greater amount), reserved to itself the power to determine the terms on which the loans should be raised, without trusting altogether to the discretion of Government; and he thought that practice should be still adhered to.

The Clauses empowering the Commissioners for the management of the national debt to raise the loan in question in the shape of annuities, and specifying the manner in which the operation was to be conducted, were brought up, read, and agreed to.

The House resumed—Report to be received.

Tithe Arrears (Ireland).] On the Motion of Mr. Littleton, the Order of the Day was read for the House going into Committee on the Tithes Arrear (Ireland) Bill.

The House went into Committee.

Mr. *Littleton* said, that in submitting the statement which he was about to lay before the Committee, it would be necessary for him, in the first instance, to give them an estimate of the amount of arrears of tithes that remained due in Ireland for the years 1831 and 1832, and also of the amount of arrears of tithes due for the year 1833, for the total amount of which the measure he was about to introduce went to provide. Some weeks ago his noble friend (Lord Althorp) had called the attention of the House to this subject; but at that time his noble friend was not prepared to state the precise amount of the sum that Parliament would be called upon to advance, and as, since that period, a desire had been expressed by the House that impropriate tithes should be included in this arrangement, it was necessary to ascertain the amount of such tithe due at present. Early in the Session an account of the amount of tithes and arrears of tithes due was ordered, at the instance of the hon. member for the University of Dublin (Mr. Shaw), and that account had been presented to the House on the 11th ult. That Return had misled many hon. Members as to the amount of tithes due, and it was altogether so erroneous that he would not have alluded to it on the present occasion, had it not been referred to on a former evening by the right hon. Baronet, the member for Tamworth, as an authority on the subject. It was not only erroneous in this respect, that from many parishes it contained no Return at all; but furthermore, it contained no account of the amount of tithe due for the present year, nor any account of what was due for impropriate tithes. It besides included the arrears of tithes due since the 1st of May, 1829. Now, from all that had come to his (Mr. Littleton's) knowledge, he did not believe, that there was any considerable amount of arrears due for the years 1829 and 1830. According to this account, which was, as he had remarked, an extremely erroneous one, the whole amount of arrears due was 409,384*l.* He would now proceed to state to the Committee what his estimate was of the amount of arrears due, according to the best information he had been able to collect upon the subject. With respect to the arrears for the year 1831, proceeding upon what he considered to be pretty correct *data*—namely, the amount claimed by the clergy under the Relief Bill of last Session—he would set them down at 104,285*l.* From that sum was to be deducted 12,100*l.*, the total amount which had been recovered by the Government in consequence of taking those arrears upon them as Crown debts. That amount too, he was bound to say, had been collected with great difficulty, and with some loss of life. Deducting it from the sum he had already mentioned, it left the total amount of arrears due for the year 1831, 92,185*l.* To that it would be necessary to add a sum which, calculating it on the best authority, he estimated at about 20,000*l.*—namely, the amount of arrears due to Bishops, Corporations, and to other persons who had not availed themselves of the relief afforded by the Act of last Session. That would make, according to his calculation, the total amount of arrears due for the year 1831, 112,185*l.* Now, with respect to the arrears due for 1832, he had in the first instance to observe, that the total amount of the ecclesiastical tithes in Ireland was calculated at 600,000*l.* That, he believed, was the estimate made of their amount by the best informed authorities on the subject. In the year 1832, in consequence of the great difficulties and embarrassments which had arisen in 1831 with regard to the collection of tithes, the collection of them was rendered still more difficult. A very small proportion of the tithes due for that year was collected in the southern counties of Ireland. A much larger proportion was collected in the northern counties; and, according to the best accounts which he had received from various parts of Ireland, he had every reason to believe that no less than 300,000*l.* for ecclesiastical tithes remained due for the year 1832. It appeared, then, that the total amount of arrears due for 1831 was 112,185*l.*; for 1832, 300,000*l.*; making a total due for those two years of 412,185*l.*; to that was to be added the sum of 600,000*l.*, being the amount of tithes due for the current year; thus leaving the gross amount of ecclesiastical tithes due and unpaid for the years 1831, 1832, and 1833, at 1,012,185*l.* The greatest difficulty had been experienced in calculating the amount of lay tithes due for the years 1831, 1832, and 1833. As much greater hostility existed to the payment of impropriate than of ecclesiastical tithes, it was very probable that a very small proportion of lay tithes had been collected throughout Ireland during that period. By an account which had been laid before Parliament early in the year, it appeared, that the number of impropriate parishes in all the dioceses in Ireland amounted to 669. By looking at those which had compounded, by which he had ascertained the amount of his tithes, he had come to the conclusion, that the gross amount of lay tithes due was 94,192*l.* 19*s.* 1*d.* It was, however, to be observed, that in some cases the lay tithe and rent had been added together, and in that way some of the landlords had received the value of their lay tithes. It would be necessary, therefore, to make an abatement for that consideration from the gross amount he had already mentioned. The abatement he proposed to make from that sum, in consideration of lay tithe added to rent, was 20,000*l.*; balance of lay tithe remaining due each year, 74,192*l.* 19*s.* 1*d.*, which balance, multiplied by three, leaves an arrear of lay tithes for the years 1831, 1832, and 1833, of 222,578*l.* 17*s.* 3*d.*; thereby making the gross arrear of ecclesiastical and lay tithes for the years 1831, 1832, and 1833, to be 1,234,763*l.* 17*s.* 3*d.* That was certainly a large amount. It would not be necessary, however, to apply to Parliament for an advance equal to that sum. He believed, that nobody would be inclined to dispute the justice of the principle, that if Parliament should come forward with a sum to pay the tithe-owners what was due to them, relieving them from the costs of collection, of valuation, and the other expenses and difficulties attendant upon the recovery of that species of property, a considerable discount should be given to the parties thus making such ready-money payment. He believed, that the Irish Members would not refuse a large discount upon the arrears for the years 1831 and 1832, as a considerable portion of those arrears must have been considered bad debts if Parliament had not stepped in and guaranteed their payment. A great difference must be made between those arrears and the tithes due for the present year. It was proposed, therefore, that while, upon the payment of the tithes due for the present year a deduction of not more than fifteen per cent should be made, a deduction of twenty-five per cent should be made upon the payment of the arrears for 1831 and 1832. The total per centage thus allowed would amount to 241,242*l.*, which, deducted from the total amount of tithes and arrears due—namely, 1,234,763*l.*, left a balance of 993,521*l.* That, therefore, was the amount to be provided for, and it was proposed to provide for it by an issue of Exchequer-bills to the amount of 1,000,000*l.* The right hon. Gentleman then proceeded to explain to the Committee the machinery of the Bill by which it was proposed to arrange the distribution of this money, and the mode in which it was to be subsequently levied on the land. Such he said were the heads of the Bill which it was his intention to propose on this subject. He would beg leave, in conclusion, to move the following Resolution:—" That his Majesty be enabled to direct Exchequer-bills to an amount not exceeding 1,000,000*l.* to be issued for the purpose of advancing under certain conditions, the arrears of tithes due for 1831 and 1832, subject to a deduction of twenty-five per cent; and the value of the tithes for 1833, subject to a deduction of fifteen per cent, to such persons as may be entitled to such arrears on such tithes, and as may be desirous of receiving such advances, and that the amount advanced shall be included in the tithe composition, so as to be repaid in the course of five years, being payable by half yearly instalments."

Mr. *Shaw* said, that the right hon. Gentleman (Mr. Littleton) should understand, that he (Mr. Shaw) had not moved for the Return of the arrears of tithe with any reference to the present measure, but previously to the announcement of any intention by his Majesty's Government to introduce that measure, and with a view to lay open the system of injustice and resistance to the laws under which the clergy of the Established Church in Ireland were suffering. He (Mr. Shaw) did not, however, materially differ in his calculation of the amount due, and now to be provided for from that which the right hon. Gentleman had come to by a different process. Setting off the number of benefices not returned at all, which appeared to be 157, against the arrears of 1829 and 1830, which were included in the Return, but which of course were not a part of the sum now to be estimated, there remained in round numbers 500,000*l.* of clerical arrear due for the years 1831 and 1832. Add to that the clerical tithes of the present year, being somewhat more than 500,000*l.*, and about 200,000*l.* for the impropriate tithes for the arrears of the two last years, and for the current year, the result would be as nearly as possible the same the right hon. Gentleman had arrived at—namely, that a sum of about 1,200,000*l.* would be due for tithes in Ireland, and remained to be provided for by the Resolution then before the Committee. With respect to the means by which the Government proposed (as just stated by the right hon. Gentleman) to raise that sum of money, and to meet the difficulties of the case, difficulties which he admitted were great, but which he (Mr. Shaw) could show were produced principally by the weakness and the folly of the Government themselves—with respect, he said, to the proposition of the right hon. Gentleman, he contended that its leading characteristic was that of gross injustice to each and all of the parties concerned. First, as to the landlords, it was unjust beyond all precedent to require them to pay not only what they had not been liable to by law, but a charge that they had expressly contracted should be paid by their occupying tenants and not by themselves. The case was altogether different where there was no existing lease or contract. There he (Mr. Shaw) approved of making the landlord pay, but where there was an existing contract all principle was violated in transferring the payment from the party who had contracted to pay, to the party who had by express contract protected himself from the payment. Then, as regarded those who had paid their tithes and obeyed the law, they were to be put in a worse situation than those who had combined to resist the payment and to violate the law. And though he mentioned them last, the least injustice was not done to the clergy themselves, who, having been deprived for the last three years of their legal maintenance by an organised and illegal combination against them, carried on under the implied sanction, if not the direct encouragement of the Government—having abstained within the last few months from legal proceedings to recover their long withheld rights, or even from viewing the crops in uncompounded parishes, upon the express understanding of the noble Lord (Lord Althorp), that these three years' tithes should be paid them, were now called upon to submit to the unreasonable, and under the circumstances, most unjust deduction of twenty-five per cent. No more cruel or oppressive conduct had ever been pursued towards any body of men than that with which the Irish clergy had been treated by the Government. In the end of 1830, soon after the present Ministers came into office, the systematic resistance to the law commenced, and those who most insidiously inculcated the doctrines which directly tended to that resistance, received not only the countenance, but the praise of the highest authorities in the Irish government. When violence and outrage were proceeding beyond the purposes of the Irish government themselves, and some attempts were made to repress them—no sooner were the consequences beginning to be felt, which in Ireland were always sure to follow a firm and vigorous Administration of the laws, than the right hon. Gentleman opposite (Mr. Stanley) used the unfortunate expression of the extinction of tithes, and again raised the outcry against them from one end of the country to the other. So matters went on to the passing of the Coercion Bill, the necessity of which was occasioned by the base, vacillating and timid policy of the Ministers; but order having been in some degree restored under its influence, and the people being led to believe, that the law had not been altogether suspended, the clergy seemed on the point of recovering their tithes by the ordinary process, when, in perfect keeping with their former indecision, and that up-and-down system which had characterised their whole policy, the noble Lord caused proclamations to be posted throughout the country that all proceedings for tithes should be suddenly put an end to. The policemen, who the week before had been putting up notices at the risk of their lives, warning the people to pay under the severest penalties of the law, were now attempted to be chaired through the country, and carried in triumph by the people, distracted with the inconsistency and unintelligible conduct of the very Ministers whose duty it was to hold a steady and firm hand over them, instead of first exciting them to resist the laws, and then having recourse to extraordinary means to punish them. From every part of Ireland his information was to the same effect, that had the Government not interfered, scarcely any tithes would have been unpaid by the 1st of November. A correspondent from the county of Cork wrote, that "all payments, though in fair progress, were at once put a stop to by Lord Althorp's words in the House, and the clergy are beginning again to feel all the difficulties of destitution." Another from the Queen's County says—"Until the Government interfered the other day, the anti-tithe conspiracy had been nearly put down. The Roman Catholics in this country were paying in all directions; and I don't think there would have been any tithes due before the 1st of November, unless in cases of real inability. This, of course, is all at an end now." And from the north of Ireland a most estimable and experienced clergyman writes —"I have been on the best terms with all my parishioners; in January last they were unanimous in thanking me for the composition I entered into; but the consequence of the recent conduct of the Government has been, that my agent has not only been refused any further payment, but actually threatened with violence if he did not return what he had already received — as they said, that Government was to pay all the tithes for the last three years." Was not this holding out a premium to crime, and paying a bounty on insubordination and disorder? He could not avoid referring to a passage in the first tithe report which was then on the Table. It said the Committee of which the right hon. Gentleman (Mr. Stanley) was Chairman, was deeply impressed with the danger that must threaten the whole frame of society if a combination against a legal impost was permitted ultimately to triumph over the provisions of the law—and was triumph ever more complete than that which the Government had given in the present case to that combination, to deprive the clergy of their legal income, which that same Report had so strongly dwelt upon? Was it not a striking instance of the evil deprecated in the Report of affording proof that turbulence could lead to relief, and that popular combination was sufficient to bear down legitimate authority? And what did the Report most truly point out as the certain and inevitable consequence? that "the security of all property would be shaken—the framework of Government and society disorganised—and a state of confusion and anarchy ensue." Yet with these truths placed before the Government by one of their own Members, at the time Secretary for Ireland, they had pursued the course to which he had alluded. As regarded the clergy, they were not in the situation of free agents—they were in a state of destitution, caused by the very persons who now proposed to make this exorbitant deduction from the arrears of an income already much reduced. Still they were not in a condition to reject any terms the Government had the injustice to impose; they were, as it were, under duress—not free to exercise an independent judgment. Was not the proposition now made a monstrous deduction to be made from their lawful and fair demands? He almost felt, that, in agreeing to the present measure, they would be accepting a temporary and insufficient relief, to the prejudice of their permanent interests, and the undoubted rights of the body to which they belonged. This, he suspected, was the reason why the hon. member for Dublin (Mr. O'Connell) viewed the measure so favourably —it substituted a mere passing expedient for the firm foundation of an acknowledged legal right. But he could not follow what might be his better judgment; he could not bring himself to refuse the means of subsistence to the many families he knew to be deprived almost of the necessaries of life, and what, perhaps, was more deplored by those most interested—of the means necessary for the education and permanent advancement of their children. He therefore would not oppose the Resolution—while he must raise his voice against the dereliction of duty, on the part of the Government, which led to it, and the gross and flagrant injustice of the conditions which they annexed to it.

Sir *Robert Peel* said, before this million was voted, it was absolutely necessary they should understand the principle on which it was asked for; so strange did it appear to him to be, that he really was almost convinced that he was in error himself upon the subject. The principle, as he took it, was to advance to lay and other tithe-impropriators, who might not have received their tithes for two years past, or who may not receive them for the present year, this sum of money; and the Crown was to be the party advancing, and the party claiming an equivalent for that advance at the expiration of five years, till which period the amount was to be added to the composition fund, and after all only to be paid off by instalments. Last year they had gone on another principle to that which they now proposed. They had gone on this principle—that the incumbent was unable to collect his tithe, and therefore the Crown should be called upon to levy for the clergy. Last year, when the grant of relief had been made, a very different principle had actuated and directed the proceedings of the Government with reference to the clergy of Ireland. He admitted that the state of the clergy in Ireland was such, that it was impossible for him to withhold his vote of assistance to that deserving and meritorious body. The hon. and learned Gentleman, who might be said to represent the clergy of Ireland in that House, said that the money ought to be paid to the clergy, without any deduction. Nothing could be more natural than such a proposition on his part, on behalf of the clergy; but, there was another party whose interests must be considered—the people of England, who had already paid their own tithes. This sum ought to be paid by the people of Ireland, in what proportion by the landlord and tenant, he would not stop to discuss; but if this legal charge was to be transferred to the people of England, who had already obeyed the law, it would certainly be holding out a premium to the disobedience of the law. They ought to endeavour to strike a balance between the interests of the Irish clergy and the interests of the people of England. He hoped that the House would support Government in their rigorous efforts to enforce the authority of the law in Ireland. He objected to the principle of the vote; he would say nothing of the grant to the West-India proprietors, because that was a peculiar case; but if Ministers proceeded on the principle of solving their difficulties by large votes of money to be levied on the people there was an end of all hope of improving the financial affairs of this country. This principle of escaping from temporary difficulties by votes of money from the public purse, was one which would involve the country in inextricable confusion. He hoped at least, that the details of the measure would be maturely considered, and the best security possible taken to obtain the repayment of the money from those by whom it was due in Ireland. He should augur the worst possible result from the present vote, if the course now about to be adopted should be allowed to be drawn into a precedent, and unless it was followed up by a vigorous effort to compel payment from those from whom the money was really due.

Mr. *O'Connell* said, that when vigour was talked of with regard to Ireland, it should be recollected that that had been the system for the last 700 years. This was the first time in which a more conciliatory system had been adopted. Were the Government to blame for adopting this first step in the system of conciliation? No. What was the state of Ireland before it was adopted? There was one universal resistance to the payment of tithes, and soldiers had been obliged to come from Cork to Middleton, to put down that resistance. Attempts were made to enforce payment of tithes by horse and foot, and the country was almost in a state of civil war. The law processes were incessant. In 1832 there were, in the Common Pleas alone, 321 writs issued, and in 1833, these had increased to 572. In 1832, of the writs issued, only seven were at the suit of clergymen; but in 1833 there were 265, out of the whole number issued, at their suit. This went on in the same manner in all the three Courts, so that there were nearly 3,000 processes at the time of the Coercion Bill. The country was almost in a state of civil war, and the Government were obliged to interfere and prevent a predial insurrection. No Government had acted more wisely than the present Government had done in this instance; and in his opinion the advocates of the clergy, instead of blaming, ought to praise them for the course they had pursued. They had a good reason for their conduct. This would be a good foundation for a system of conciliation. Let this vote pass, and next Session let them agree to some measure that would lessen the burthen of the Church of Ireland upon the people of that country. This money never would be repaid—who was there to pay it? Let them give it at once. The landlords were not much to blame. Were they to be made liable for their tithes and be made tithe proctors? If so, let it be so stated at once. It would be an injustice to them to make them liable for all these tithes. As soon as it was announced in Ireland that the landlords were to be made liable for the tithes if the occupying tenants did not pay them, there would be a general shifting of the tenantry. The clergy would, however, be provided for by this measure; and it was most ungracious on the part of the hon. and learned member for Dublin University, who represented them, to complain of a measure which was evidently for their benefit. The hon. and learned Gentleman no doubt felt the value of the measure, and no doubt wished to be able to say that the clergy had no reason to be grateful to this Government for anything. He heartily concurred in the vote for a million. Never was there a million that had been more cheaply laid out than this would be, for if the war had continued, more would have been spent within six months, besides all the other and more dreadful consequences. Let them grant this million and purchase peace with it—it would be a cheap purchase; and then let them continue the system of conciliation thus begun, and make Ireland prosperous and happy.

Sir *Robert Inglis* could not imagine that the hon. and learned Member could conceive that those who advocated the interests of the clergy in the House, and the great majority of the people who were their supporters out of the House, could agree with him in the opinions he had just expressed. The hon. and learned Member called this the first step in the system of conciliation towards Ireland. Was not the measure of 1829 so regarded by him at the time it passed? Had not the measure of 1793 and 1778 been so regarded? In every one of these instances the measure had been called the first step towards conciliation, and that expression had been kept up till each measure was passed; but immediately afterwards it was forgotten, and a new grievance was started, and every previous attempt at conciliation was then denied. He objected to the principle of the present measure, for he looked upon it but as a premium to disobedience of the law. He feared, too, that in that, as in other instances, the demand and supply would be found to equal each other; and every three years, he had no doubt, they should see the Irish Secretary coming down to the House with a proposition like the present. Protesting, therefore, against the principle, and against every use that might be made of this precedent hereafter, he should reserve his objections to the details of the measure till they came fairly before the House.

Mr. *Divett* observed, that all the arguments of the hon. and learned member for Dublin showed his belief that the sum now advanced would not be repaid. After that, could that House be called on to vote one million of Exchequer Bills, and to do what? Why, to bolster up the Church of Ireland—a Church against which all the feelings of the Irish people were arrayed. He agreed with the hon. Baronet who had just spoken, that the demand for this sort of advance would never fail. The hon. and learned member for Dublin spoke of this as buying peace for Ireland. If he believed it would do so, he should consent to the vote; but as he was quite sure it would purchase rebellion, he should give it his strenuous opposition.

Mr. *Sinclair* thought, that the House seemed to have scarcely any other duty to perform, than that of voting away millions of the public money—a system which it was high time to check. He considered this grant as very impolitic and unjust—impolitic, because it operated as an encouragement to resistance both active and passive—unjust, because the loss would inevitably fall upon the people of Scotland and of England, who had obeyed the laws, and paid their full share of all the public burthens, including the dues of their own clergy. It was also hard, upon such of the Irish people as had already paid their own tithes, and would now have to contribute towards making up the deficiencies of their more refractory neighbours. Whereas, if they had set the laws at defiance, their own tithes also would have been paid at the public expense. Such a system could not restore peace to Ireland, and would prove an incitement, both there and in Great Britain, to resist just demands, in the hope that the Government would impose the payment upon the country at large. He quite agreed with his hon. friend, the member for Oxford, that this measure would serve as a premium upon lawless proceedings; but he differed from the conclusions at which his hon. friend arrived—being determined to vote against the grant which his hon. friend intended to support. It was not to be expected, nor would it be just, that the advance should ever be reimbursed by the Irish landlords—or could be recovered by them from their indigent and resisting tenantry.

Mr. *Hume* observed, that the right hon. Secretary for Ireland had stated he should show how tithes, from which this advance was to be repaid, were to be collected. He doubted much if that could be done. He believed, that this money would be lost to England. And for what was it to be paid? To bolster up the Church Establishment against the best feelings of the country. The hon. and learned member for Dublin asked them to give the money at once, in order to continue the non-payment of tithes for another year, and then they would never be paid again. He (Mr. Hume) had always told them, that that would be the case. The people of England would do the same; and if they were to be called on to pay what other people ought to have paid, they would be silly not to do it. They were now distinctly told, that the money never would be repaid. Under these circumstances, could they think of granting it. The whole scheme of repayment ought first to be laid before them. He should propose, therefore, that the Chairman should report progress, in order to give the Ministers time to lay the Bill before the House, that they might form their own judgment on the matter.

Lord *Althorp* said, that the passing of the Resolution must be preparatory to bringing in the Bill; and when the House saw the Bill, if they did not think that there were any means of recovering the money, it would be in their power to reject the Bill, at any stage of its progress. At the time when this measure was first announced, it was stated that the Government intended to bring forward a proposition which should prevent, in future, the collection of tithes in the old way. The continuance of that system might bring the utmost confusion in the country. He could assure the House, that they came with the expectation and the determination that the measure they intended to propose should procure the repayment of this advance. If the occupying tenant was to be made to repay it, the same consequences as before would follow from the same causes. They proposed, therefore, to follow a different course. They intended to follow up the Composition Bill of the last Session. If they were right in passing that Bill, the application of the same principle on a more extended scale must be advantageous. The tithes of this year would be spread over a period of five years, and would be added to the amount of the composition for tithes. The advance would be made to the clergy, who, on obtaining the composition, would repay it to the Government. This sum would therefore be added to the amount of the composition which the clergyman would be entitled to receive. It did not appear to him, that the Government was in any danger of not being repaid. The tithes that had been lost by the tenantry quitting the land, could not, of course, be levied on the landlord, but must be considered as totally lost; and no deduction could be made by the clergyman on account of them. He did not wish to call on the people of England to pay for the people of Ireland. He should, therefore, put his case on this issue, that if the House were not satisfied that ample provision would be made for the repayment of this money, they ought not to adopt the Bill; but if they saw a reasonable probability of the money being recovered, then he thought they would agree with him, that it would be good policy to make the advance, and prevent the old mode of collecting tithes from being again resorted to in Ireland.

Mr. *Aglionby* could not see any means by which the money could be repaid, and therefore he agreed with those who thought that this would be a grant, and not a loan, and he believed that, if once adopted, this course must eternally go on while the Church establishment was forced upon the majority of the Irish people against their will.

Mr. *Wilks* said, that if the matter was as the noble Lord supposed, there could be no objection to the House adding to the Resolution, that they agreed to it on the contingency, that this Bill, when produced, should satisfactorily provide for the repayment of the loan. Ministers could not be ignorant that there was a strong feeling among the people of England against tithe, especially in the agricultural districts. He thought that, at all events, they would not be more willing to pay the tithes of the Irish than their own; and although the grant was proposed in the shape of an Advance, there could be little doubt, that, like the loan to the West Indies, it must end in an absolute gift.

Lord *Althorp* added, that the adoption of the Bill, to be founded upon the Resolution, would, of course, depend upon the kind of security it offered for the money: if that security were not approved, the Bill might be rejected. The forms of the House required that the vote should first be brought forward in the shape of a Resolution.

Mr. *Briscoe* said, that if the Resolution were merely waste paper, it was needless for the Committee to be called upon to vote in favour of it. The sum required was to pay the arrear of tithes in 1831, 1832, and 1833, with certain deductions at so much per cent; and it really seemed as if the House of Commons had nothing to do but to vote away the public money, without at all inquiring where that money was to come from. The people of England had none to spare, more especially for the lay impropriators, who had not a shadow of claim.

Mr. *Halcombe* felt it his duty to support this Resolution, though he might, by doing so, incur the censure of his constituents. He hoped, therefore, that if the payment of the money were decided upon, it would be in the shape of a loan, and not of a grant, for he thought that this country was already too much taxed to be paying any sums for arrears of tithes in another country.

Lord *Duncannon* was confident, that tithes never could be collected in Ireland under the present system, and he therefore thought some such arrangement as the one proposed highly necessary. He entirely approved of the Resolution, which should have his support; and, as to the security, the House would be enabled to judge, when the proposed Bill came before them, how far that offered by it was sufficient.

Lord *John Russell* said, that of the only two courses open to the Government for the settlement of the question of tithes, they had, he thought, made choice of that which would prove the most advantageous. He was convinced, that for the Government to proceed with the collection of tithes would be highly inexpedient, inasmuch as it would necessarily lead to the expense and discord which attended the harassing warfare which took place in Ireland last year, as well as to that description of resistance which had already been attempted. A repetition of such a course would, he was sure, be highly imprudent; and he therefore approved of the other mode—that which the Government had adopted—of relieving the parties now oppressed, by means of the proposed grant; for, notwithstanding all that had been urged against the Irish Church in general, he had never yet heard that the claims of the present incumbents had been denied.

Mr. *Hume* contended, that the present was merely a temporary measure to answer the immediate purpose of Ministers—which would never give permanent peace to Ireland. The landed gentry of Ireland had declared, that they would never pay the tithes; so that the advance must be looked upon as a pure gift. Ministers would soon raise in England a resistance as effectual as that existing in Ireland. He especially objected to the grant of 220,000*l.* for lay impropriators.

Mr. *Littleton* regretted, that the objectors to this plan had not favoured the House with any suggestion instead of it. If this Resolution were rejected, the fault would not lie with the Government, but with the House.

Mr. *Cayley* would certainly oppose the attempt to throw the burthen of the tithes upon the landlords of Ireland. The money required ought to be taken out of the surplus fund of the Church, and the first million received by the Commissioners ought to be set apart for the purpose.

The Committee divided on the Resolution: Ayes 87; Noes 51—Majority 36.

List of the AYES.

Adam, Admiral
Agnew, Sir A.
Althorp, Lord
Anson, Hon. Geo.
Briggs, R.
Brodie, W. B.
Burrell, Sir C.
Campbell, Sir J.
Carter, B.
Childers, J.
Cole, Hon. Gen.
Denison, W. I.
Duffield, T.
Duncannon, Lord
Ellice, Right Hon. E.
Elliott, Hon. G.
Evans, G.
Ferguson, Sir R.
Fitzgerald, E. V.
Fleming, Admiral
Forster, C. S.
Fox, Colonel
French, T.
Gordon, R.
Graham, Rt. Hn. Sir J.
Grant, Right Hon. C.
Grant, Right Hon. R.
Grey, Sir G.
Grey, Colonel
Halcombe, J.
Hayes, Sir E.
Horne, Sir W.
Howard, Hon. F. G.
Jeffery, Rt. Hon. F.
Jephson, C. D. O.
Jerningham, Hon. P.
Inglis, Sir R.
Johnston, A.
Kennedy, F.
Lefevre, C. S.
Littleton, Rt. Hon. E.
Lowther, Lord
Maberly, Colonel
Macaulay, T. B.
Macleod, R.
Marjoribanks, S.
Marshall, J.
Milton, Lord
Molyneux, Lord
Morpeth, Viscount
Murray, J. A.
Nicholl, John.
O'Brien, C.
O'Connell, D.
O'Connell, J.
O'Connell, M.
O'Reilly, W.
Ormelie, Lord
Parker, J.
Peel, Sir R.
Penleaze, T. S.
Pepys, C. C.
Perrin, L.
Petre, Hon. E.
Pinney, W.
Poyntz, S.
Rolfe, R. M.
Russell, Lord
Russell, Lord J.
Scott, Sir E.
Scrope, P.
Seale, Colonel

Sebright, Sir J.
Shaw, F.
Smith, V.
Stanley, Hon. E. G.
Stanley, Hon. H. T.
Stawell, Colonel
Stuart, P.
Tollemache, Hon. A.
Townley, R. G.
Tracy, H.
Tyrell, C.
Verney, Sir H.
Waterpark, Lord
Willoughby, Sir H.
Wrottesley, Sir J.

TELLER.

Wood, C.

List of the NOES.

Aglionby, H. A.
Arbuthnot, Hon. H.
Bainbridge, E. T.
Bewes, T.
Beauclerk, Major
Blake, M.
Briscoe, J. I.
Brocklehurst, J.
Brotherton, J.
Buller, C.
Calley, E. S.
Collier, J.
Coote, Sir C.
Cornish, J.
Divett, E.
Dunlop, Captain
Dykes, F. L.
Ellis, Wynn
Ewart, W.
Fielden, John
Goring, H. D.
Gordon, Captain
Hall, B.
Handley, W. F.
Harland, W. C.
Hawkins, J. H.
Hutt, W.
James, W.
Kemp, T. R.
Lees, Lee
Lester, B. L.
Mullins, T. W.
Parrott, J.
Potter, R.
Rickford, W.
Romilly, J.
Ruthven, E.
Sanford, T.
Shawe, R. N.
Sinclair, G.
Strutt, E.
Talbot, J. H.
Tooke, W.
Torrens, Colonel
Tynte, C. J. K.
Walker, R. A.
Wilks, J.
Williams, Colonel
Wilmott, Sir E.
Wood, Alderman

TELLER.

Hume, J.

LABOUR RATE.] Sir Charles Burrell moved the second reading of the Labour Rate Bill.

Mr. *Charles Buller* opposed it, as a measure which was calculated to do more injury than good to the agricultural labourer. He moved as an Amendment, that it be read a second time that day three months.

Lord *Althorp* had before consented to a similar Bill for a short time, in the hope that in the interim some more general measure might be adopted, and he now gave his assent to the present, in the same hope, that before its expiration, Parliament might have time to pass a more general measure on the Poor-laws. He looked upon this merely as a temporary measure, and not as one which he should wish to see the general law of the land. It had done some good in places since it had been in operation; but he admitted, that it was only a palliative of an evil which it could not permanently remedy.

Sir *Robert Inglis* said, that the speech of the noble Lord was one of the most unstatesmanlike he had ever heard. He admitted a given quantity of evil because that evil was to be only temporary; but if the Bill was calculated to do good, it ought to be general; and if it only afforded a temporary remedy to an evil, some more general measure should be applied. He did not think, that it would produce the good expected from it. The principle of the Bill had gone through many editions since it was first introduced by Lord Nugent, in 1830; but he did not think it had been so improved as to entitle it to the adoption of the House.

Mr. *Ord* opposed the Bill. He lived in an agricultural district, and had not found it work well. He objected to it on the ground, that it was one of those palliatives which, in the result, would do more harm than good. He hoped, therefore, it would not be pressed.

Mr. *Strutt* said, though it might relieve for a time the distress to which it was to be applied, it would, in the result, aggravate that distress by destroying the independence of the labourer.

Mr. *Evelyn Denison* supported the Bill from the experience he had had of its operation in several districts to which it had been applied, and hoped that it might be allowed to pass.

Mr. *Poulett Thomson* thought the Bill bad in principle and bad in operation. It was one of those instances of legislation in which, though the benevolent intentions of the parties introducing it must be admitted, he thought the House ought not to concur, seeing that it could tend to no practical result. The present was not a mere re-enactment of the former Bill, it went to extend the principle of that Bill, and as he denied that principle, as he did not think it right in theory or practice, and, moreover, as it tended to destroy the independence of the labourer, he should give it his opposition.

Mr. *Halcombe* said, that if the matter were *res integra*, he might look at it differently, but, as they had only a choice of evils, he would agree to the present measure as affording a remedy for those evils for at least a short time, and until some general measure was adopted.

Sir *Harry Verney* supported the measure as one which had worked well in many parishes in Buckinghamshire, and so much satisfaction had it given, that the decision of the House respecting it was anxiously looked for by many parishes. It should be recollected, that it was wholly optional, and if the parishioners desired it, they were not bound to adopt it, but if adopted by one part of them it might be set aside by appeal to the Quarter Sessions.

Mr. *Marryatt* admitted, that in principle it was as wrong to interfere between the farmer and the labourer as it would be to say to a manufacturer how many men he should employ. The Bill was, however, to be defended only as a temporary palliative to an evil to which he should hope to see a more general and permanent remedy applied.

Mr. *Poulett Scrope* objected to the Bill, as one by which the large farmer and landholder might be enabled to throw upon the small farms and the shopkeepers those labourers for whom they themselves had no employment. What could a poor shopkeeper and a poor widow lady do with three labourers who might be thus thrown upon them for support?

Sir *Charles Burrell*, in reply, said, that in those parishes in which the Bill had been carried into operation it had given great satisfaction to all parties. He had never urged it other than as a temporary measure, to be applied only until some general measure should be adopted.

The House divided on the question, that the Bill be then read a second time—Ayes 17; Noes 29: Majority 12.

List of the AYES.

Althorp, Viscount
Bulteel, J. C.
Denison, W. J.
Duffield, T.
Forster, C. L.
Goring, H. D.
Halcombe, J.
Hughes, H.
Plumptre, J. P.
Poyntz, W. S.
Rickford, W.
Shaw, N.
Smith, V.
Tollemache, A. G.
Tracey, H.
Tyrell, C.
Willoughby, Sir H.

TELLERS.

Burrell, Sir C.
Verney, Sir H.

List of the NOES.

Aglionby, H. A.
Blake, M.
Briggs, R.
Brotherton, J.
Campbell, Sir J.
Childers, J. W.
Divett, E.
Dykes, F. L. B.
Ewart, W.
Hall, B.
Hawkins, J. H.
Hume, J.
Knapp, H. R.
Marshall, J.
Molyneux, Lord
Ord, W. H.
Parker, J.
Parrott, J.
Romilly, J.
Ruthven, E.
Scrope, P.
Shaw, F.
Strutt, E.
Sullivan, R.
Thomson, C. P.
Tooke, W.
Tynte, C. J. K.
Warburton, H.
Williams, Colonel

TELLERS.

Inglis, Sir R.
Buller, C.

HOUSE OF LORDS,

Tuesday, August 6, 1833.

MINUTES.] Bill. Read a second time:—Turnpike Road Returns.

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HOUSE OF COMMONS,

Tuesday, August 6, 1833.

MINUTES.] Papers ordered. On the Motion of Mr. T. GLADSTONE, a Copy of the Charter Incorporating the Borough of Portarlington, &c.

Bills. Read a third time:—Notaries Public; Assessed Taxes Reduction; Thellusson's Estate; Sugar Refining.—Read a second time:—Sentence on Murderers (Ireland).—Read a first time:—Customs Acts Amendment; Chancery Offices; Land Revenue (Scotland).

Petitions presented. By Lord LOWTHER, from certain Proprietors of Tenantry Estates in Westmoreland, for Relief.—By Lord MOLYNEUX, from Eccles, and Burton-upon-Irwell, against the Rating of Tenements Bill.—By Mr. Alderman WOOD, Mr. GISBORNE, and Mr. HUME, from Individuals Resident in and near the City of London, against certain Sections in the Bank Charter Bill.

GRAND JURIES (IRELAND).] On the Motion of Lord Duncannon, the House again resolved itself into a Committee on the Grand Juries' (Ireland) Bill.

Lord *Duncannon* said, he had some Amendment to propose in the 30th clause which was under discussion on the last day this Committee sat. He thought it was highly desirable that Grand Juries should be called over, and their attendance enforced, in order that not a less number of Grand Jurors should be in attendance than was necessary by law for finding a bill of indictment. By the clause as it now stood, each Grand Jury were to be called over morning and evening; he proposed instead, that they be called over every morning, and at such other periods of the day as the foreman should deem requisite, provided that at those periods there was a less number present than were required by law to pass a bill, which he understood to be thirteen. Another Amendment suggested by the hon. and learned member for the University of Dublin, to which he (Lord Duncannon) was disposed to accede was, that the penalty on a Grand Juror for non-attendance should be forty shillings instead of five pounds.

Mr. *Shaw* said, he had never objected to the amount of the penalty, but to that part of the clause which made it imperative on the foreman to inflict the penalty. That power should be vested in the Judges of Assize, and not in the foreman.

Lord *Duncannon* said, the Grand Jury sat not only while the Judges were sitting, but when they were absent. It was absolutely necessary to compel the foreman to inflict the fine, otherwise he would not do it. The noble Lord also said, that at the end of the clause he intended to introduce a proviso, to the effect that nothing contained in it should affect the authority of any Judge to enforce the attendance of any Grand Juror.

Mr. *Shaw* was opposed to that part which compelled the foreman to inflict a penalty on any Juror who was absent; it ought to leave in the foreman a discretion to fine according to the circumstances of the case.

Mr. *O'Connell* bore testimony to the fact, that at least half a dozen times during each Assize the Judge was applied to, and as soon as the absent Jurors were fined, an immediate attendance took place; and it followed, almost as a matter of course, that his Lordship was applied to for a remission of the fines. It was of more consequence that the power should be vested in the foreman of the Jury, during the absence of the Judge—for instance, before the arrival of the Judge at the assize town.

Mr. *Shaw* agreed with the hon. and learned Member, that the same power should be vested in the hands of some competent authority—say, the foreman of the Jury—but not a greater power than would be possessed by the Judge.

The Committee divided on the clause—Ayes 37: Noes 6;—Majority 31.

Clauses to 56 agreed to. The House resumed; the Committee to sit again.

Borough of Stafford.] Sir *Thomas Freemantle*, as Chairman of the Committee on the Stafford Bribery Election, reported the Resolutions which they had agreed to—as follows, "That it appears to the Committee, that the evidence taken before them establishes a case of such open, general, and systematic bribery and corruption, that it is expedient that the borough of Stafford should cease to return Members to Parliament."—"That the Chairman be requested to move for leave to bring in a bill to disfranchise the borough of Stafford." He had ever considered it his duty, and the duty of that House, to make an example of any place in which gross and notorious bribery had been committed. If the present flagrant instance of depravity were passed over without punishment, a baneful precedent would be set to other boroughs to continue the same corrupt practices. He admitted that there was a difficulty attending such cases, but that ought not to deter them from doing their duty, and from proving to candidates, and to the more respectable portion of the Burgesses, that they were bound to prevent the distribution of bribes. The hon. Member proceeded to analyse the evidence, and showed that the sum of 2*l.* 10*s.* was paid for a split vote, and the sum of 5*l.* for a plumper. There was also evidence to show that the electors objected to these sums, as being below the regular town prices. They wanted an advance in the price, and attempts were made to procure it. These were not, however, successful, for one of the sitting Members would not pay more than these sums, and the price of votes was therefore only raised as between the two remaining candidates, for the contest lay between them, and the gentleman who refused to make the advance was known to be the favourite candidate. The management of business of this kind was pretty well understood at Stafford, so that the candidates were not directly implicated by the mode in which the money was advanced. Whenever money was wanting, some friend of the candidate said, "Oh! don't go troubling the candidate about money; I have plenty of money, and I'll let you have some." One of these friends, on one occasion, went into a banker's, and drew out in his own name 500*l.*, and went into the open market-place and there publicly gave it away for distribution: and when the transactions afterwards became matter of inquiry, and it was asked why the thing had been done thus publicly; the answer was, that it was done so on purpose, for if it was known that their money was exhausted, they might as well retire from the contest at once. It had been proved, that at least 852 persons had received bribes for their votes, and there was such evidence as to others, that no one could doubt that many more than that number had received them. He might state generally, that of the old burgage voters of freemen, six-sevenths, of the new 10*l.* householders, of the superior class, two thirds, and of the inferior class, one half—had received bribes. In every class, the participation in this corruption was pretty extensive. There was another circumstance which he ought to mention, to show the character of these elections at Stafford. It was this: at the close of the election, one of the poll-books was lost by one of the clerks, as he was coming out of a voting booth. It was supposed, that this book had been picked up by some person, and kept back under the idea that till it could be found no return could be made, and all the system of bribery would have to go over again. For all these evils there was but one remedy. The evidence gave proof of the existence of universal iniquity in the borough, and the only remedy was to make a striking example of the borough. Was there a man prepared to say, that this borough should be screened, notwithstanding the case of gross bribery and corruption had been made out against it. The electors had grossly betrayed the important trust reposed in them, and they ought to suffer for it. He thought, the only just punishment for corruption so widely spread as this had been proved to be, was the total disfranchisement of the borough. They might probably be told that this was an ancient borough—it was so; and he might add, that the more they had heard of it the worse they were inclined to think of it. In his opinion, when the crime was great and signal, the punishment should be great and signal also. He had a great objection to the partial disfranchisement of a borough, and to taking voters from a neighbouring agricultural district to make up a larger constituency. The effect of such a course was, to diminish the number of county voters, which, in Staffordshire, was not too large at present, in consequence of the division of the county. Besides this, the attempt to purify a borough by partial disfranchisement had not succeeded in the places where it had already been tried; nor did he think it would, in this case, if the voters from Stone and Eggleston were called in to add to the constituency of the borough of Stafford; for there was something epidemic in the very air of Stafford, that would but spread the disease wider in proportion to the number ready to receive it. An instance of the want of success of this scheme of partial disfranchisement was to be found in the too notorious borough of Penryn, which had been united to Falmouth to give it a larger constituency; but the voters of Penryn could not, by this Union, be induced to abjure their evil practices, and at the last election, bribery was committed in that ancient borough. Besides this, there was an additional reason why there should not be a partial disfranchisement, or a mere extension of the suffrage; and that was, that in all such cases there should be an uncorrupted nucleus around which the larger constituency should form itself. There was no such thing in Stafford. He did not mean to say, that there were not two, or ten, or twenty, honourable men in the town; but their number was so small that it would not justify the House in making them the nucleus of an extended constituency. There were only 200 persons who had not been proved to have taken bribes in money; but the greater part of these had mixed themselves up with the election, and with the corrupt practices that had disgraced it. Some of those who were in a respectable station in life had received money bribes, though in some instances there was an affectation of delicacy about taking them. There was the case of a man who went in his pony-chaise to the house where the money was paid to receive his money; but when he got there, he did not like to go in himself, so he sent his wife to take it. Another curious case, showing, that those who could not be proved to have received money for their own benefit, had yet been personally mixed up with the corrupt practices of the election, was that of a parish clerk, who carried on some trade in which he employed several men, who at first refused to go and vote, when he held up a 10*l.* note to show them; they were not satisfied with merely being shown the note, and he then made himself liable to pay them, and kept the note for his own indemnity. The evidence throughout went to show, that the bribery at the last election was not less than on preceding occasions. Now, the bribery at the borough of Stafford had long been notorious. One Gentleman, now a Member of the House, though not at present sitting for Stafford, had taken the town by storm—by force of his money—for, on his entrance into the place, he was preceded by a band having bank-notes stuck in the front of their hats. Though there was not before this Committee any direct proof of bribery at former elections, yet he believed there was no man in that House who doubted that such was the case. Having stated these facts, he must take the liberty of observing, that he did not know by what chicanery the burgesses who had presented a petition against the election and return had been induced to withdraw their petition; but from whatever cause that course had been adopted, it would not answer the end for which it was intended. He regretted, however, that the usual course had not been followed in this case. The Committee proposed that a bill should be passed to disfranchise the borough; and he was of opinion, that that franchise should not be conferred on any other place. An election at Stafford was a nuisance, and he should recommend that that nuisance be for ever abated. He did not entertain any hopes of being able to get a bill for that purpose passed into a law at so late a period of the Session, but he thought the House were bound to take some decisive step to mark the course they intended to pursue. He, therefore, moved for leave to bring in a bill to disfranchise the borough of Stafford.

Mr. *Macleod* as a Member of the Committee, seconded the Motion, and expressed his complete conviction, that a case had been made out in evidence fully justifying this measure.

Mr. *Chetwynd* hoped, that the House would agree with him, that before leave was given to bring in this Bill, it was necessary that a case should be made out, not only of the strongest nature, but founded on facts and evidence of a most distinct kind, and which were incapable of contradiction. Now he must assert, that the hon. member for Buckingham (Sir T. Freemantle), had established no such case as that in the present instance. The House ought to look narrowly into the statements made before the Committee. Some of them had been made willingly, some upon compulsion, some under strong feelings of jealousy, and some from equally strong feelings of disappointment. His friends had been compelled to adopt measures which they knew to be improper and unconstitutional by the proceedings of the opposite party. As to the list of which the hon. Baronet had spoken, he should be able to prove, if an opportunity were afforded, that the names of many persons were inserted who had never received a farthing during the last election. It had been said, that no man could stand for Stafford who was not prepared to bribe. Now Major Hawkes had stood, and he had over and over again declared that he never would give sixpence. [Sir *T. Freemantle:* He lost his election.] Yes, but he was at the head of the first day's poll, and would have been at the head of the second, had he not retired in consequence of family circumstances. No friend of his (Mr. Chetwynd's), however zealous in the cause, had entered into any contract with an elector until after the elector had polled. He denied that the majority of the ten-pound householders in Stafford, had been bribed—at least 300 voters were unimpeached and unimpeachable; and the House ought to pause before it proceeded to disfranchise, in the absence of all proof of guilt. The loss of the poll-book was in a main degree attributable to the Mayor. Former elections had been mentioned, and it had been asserted, that at one of them, the voters carried bank notes in their hats as proofs that they had been bribed; but he had been informed that the voters had only, at night, put slips of paper into their hats, pretending that they were bank notes. The borough of Stafford was very ancient; its charter was dated prior to the reign of King John, and that Charter constituting it a free borough, had been confirmed by Edward 3rd. Under it the town had risen to great importance, carrying on extensive manufactures, especially of shoes. It contained 531 houses of the annual value of 10*l.* and upwards, and it had enjoyed the privilege of sending Members to Parliament for the last six centuries. With regard to the proposed Bill, he thought that the existing and admitted evil might be completely remedied by a much more lenient measure than disfranchisement, which confounded the innocent with the guilty. So fully were the voters aware of the offence some of them had committed, that were a new election to take place to-morrow, it would be conducted with a degree of purity which would afford an example to many other parts of the kingdom. Instead of a Bill to disfranchise Stafford, he moved as an Amendment, that a Bill be brought in for preventing bribery and corruption in the election of Members to serve in Parliament for the borough of Stafford.

Mr. *Edward Buller* seconded the Amendment. He admitted, that the borough was not immaculate, but the remedy proposed by the hon. Baronet went beyond the disease. The object was, to prevent the recurrence of such offences, and he should be glad if every man who had taken a bribe, could not only be disfranchised as respected Stafford, but every other part of the kingdom, and marked for life as unfit to enjoy the privilege of a vote. It was not just, however, to punish the innocent with the guilty, and for that reason he objected to the total disfranchisement.

Sir *Oswald Mosley* was averse from hasty legislation in a case like the present. No doubt great corruption had prevailed in the borough of Stafford; but the House ought to beware how it set a precedent as to the mode in which such places were to be treated. If hon. Members were prepared to pledge themselves that they would deal out the same measure of justice to all boroughs—to Warwick as well as to Stafford—the course would not be liable to this objection. Let it be recollected that Stafford had been honoured by the representation of men of the purest principles and most commanding eloquence; and as long as history remained, the name of Sheridan would be registered in the annals of Stafford. Certainly, if Stafford were totally disfranchised, the disgraceful scenes proved in the Committee could not again occur; but why were the innocent to suffer, especially without any evidence of corruption at former elections? Sufficient had been shown before the Committee, to warrant the visitation of Stafford with severe punishment, but not with total disfranchisment.

Mr. *Ord* remarked, that a good deal of discussion had been saved by the general admission of considerable corruption in the borough of Stafford. He was for disfranchising the borough, and objected to throwing the writ into the adjoining hundred, by which the Member elected would be half Knight and half Burgess, while the nucleus of corruption would remain. He denied the correctness of the representations hitherto made, of the degree of corruption prevailing in Stafford. The cases of Hertford and of Warwick were, he contended, different from that then before the House; and he trusted that, whatever course might be adopted in reference to Stafford, it would not be made to form a part of any other constituency, for it would be most unwise, as well as most unjust, to make any attempt to mix purity and impurity together. Stafford had proved itself to be so corrupt, that no other body in the community could, with any show of fairness, be placed in connexion with the inhabitants of such a town. The great majority of the voters had been proved guilty of the offence of accepting bribes, and on that account, as well as for other reasons, he should decidedly object to any union of Stafford with Stone and Eccleshall.

Mr. *Hardy* said, he would cordially give his vote for the total disfranchisement of the borough, because it was clearly proved, that there was not one-fourth of the electors who had not been bribed; and even that one-fourth, though the charge of bribery could not be brought home to them, had this at least against them, that they tamely looked on at the scenes of bribery and corruption which were going on around them, without taking any steps either to prevent them or to bring them before the public. Under a new and reformed Parliament it was peculiarly the duty of the House to visit cases of this kind with the severest punishment known to the law, and if it did not so proceed with the present case, it would be holding out an encouragement to other boroughs to commit a similar offence. As to the confounding the innocent with the guilty, by the total disfranchisement of the borough, that objection did not apply in the present case. There were not a fourth of the inhabitants who had not taken bribes, and the fourth to whom the guilt of bribery and corruption could not be brought home, had looked on quietly, without taking any step to prevent or detect those who were proved to be guilty. An hon. Member had urged, as rather a singular objection to the Motion, that the borough of Stafford had had the honour of sending such a distinguished man as Sheridan as its representative to Parliament; and that, if disfranchised, it could not send such men again. No doubt that was a high honour, if he had been sent honourably by the electors of Stafford, but probably the fact of the right hon. Gentleman having so frequently sat for that borough would account for the pecuniary difficulties in which he was so much involved, for it was not probable that the electors of Stafford of that day would have returned a Member gratuitously, however distinguished, any more than their successors of the present. The House ought to look with a most scrutinizing eye at every expenditure of candidates, both before and after the election, in order to detect bribery.

Lord *Althorp* thought, that there could be no difference of opinion as to the principle involved in the Motion before the House. It certainly was the duty of the House, as the first meeting of a Reformed Parliament, to set their faces against any instance of bribery and corruption; and if ever there was a case of bribery and corruption clearly proved, it was in that now before the House. He, therefore, gave his cordial concurrence to the Motion.

Sir *Henry Willoughby* concurred in every word that had fallen from the noble Lord. Corrupt practices must be put an end to wherever they existed. The question before the House was, however, whether it was necessary totally to disfranchise the borough of Stafford, or by providing a numerous and sound constituency to prevent future mischief. There was a population of 20,000 near and about the town, in a rich and industrious country, comprising two populous and thriving towns within a reasonable distance. This was the more effectual and constitutional method of meeting the difficulty. The cases of Aylesbury, Shoreham, and Cricklade, and others, proved that such treatment was effectual. No instance could be quoted of corrupt practices where a new and extensive constituency was formed. It was of importance then to pursue a similar course in all such instances. Why pursue one course with the boroughs of Hertford and Warwick, and another with Stafford and Carrickfergus? He was sure that one uniform method would be the most likely way of preventing party intrigues, and would afford the most perfect guarantee against practices which all must wish to be at an end. He would vote for extending the constituency, and against total disfranchisement.

Amendment withdrawn, and leave given to bring in a Bill to disfranchise the Borough.

Post-Office.] Mr. *Robert Wallace* rose to move "for copies of the instructions under which Postmasters claim a right to unfold or open letters in all or any of the Post-offices of Great Britain and Ireland." His Motion involved a serious charge either against the Postmaster-General, or some one acting by his authority, who had, in order to discover a fraud, committed a felony in the opening of letters. He should prove this before he sat down. He had had two interviews on the subject of his Motion with the Postmaster-General, who had received him with great urbanity, but no adequate remedy was proposed for the evil of which he complained. There were some means adopted at present of getting at the contents of letters, a practice which, if sanctioned or continued, violated that secrecy and confidence on which the public relied in placing their letters in the Post-office. It would ill become him to bring forward a charge of this kind if he had not made himself master, to a great extent, of the proceedings of this great establishment. He would, therefore, read to the House some extracts from the volume which was before him. The House need not be alarmed at the great size of that volume; he had no intention of reading more than a very small portion of it. It was a report from the Commissioners of Revenue in 1829. It was an able and searching report, and made many very useful suggestions as to the Post-office; but, so far as he could learn, they had not been attended with any effect; neither had the previous recommendations made in the reports of 1788 and 1797, though very wise and salutary. The Report of 1829, spoke of the facility, of the great and quick communication, afforded by the Post-office, which it said might be classed amongst the elements of profitable commerce; and was of great importance as a branch of the public revenue. He admitted, that if well managed, it would be a profitable branch of revenue; but it was managed with meanness and parsimony, which greatly diminished the revenue which would accrue under a better management. The whole establishment should be placed on a different footing. The House had an opportunity, by the presence of the First Lord of the Admiralty, the Secretary to the Treasury, and other individuals connected with public departments, the advantage of making inquiries on the spot as to matters connected with them; but with respect to the Post-office, they had no such advantage, as there was no public officer in that House who represented it. The hon. Member next adverted to the report to show the great powers vested in the Postmaster General, and contended, that such extensive powers ought not to be vested in any one individual. No individual ought to have the power of arranging posts at his discretion, and of employing or dismissing public servants at his pleasure. It further appeared, that among his other extensive powers, the Postmaster-General had authority even to regulate the amount of postage on letters. The next department he should mention was the Secretary's office. The salary of the secretary was 300*l.* a-year—a sum, however, which was raised by various compensations, fees, and emoluments, to 4,565*l.* The duties of the Secretary's office comprised almost an entire delegation of the powers of the Postmaster-General. The hon. Member proceeded to read extracts from the Report of 1829, to show, that the remuneration of the clerks of the Post-office consisted partly of salaries and in part of allowances and emoluments of a different description. One of these sources of emolument was the Secretary's fund, of which 750*l.* a-year was paid to the revenue, and the surplus to the Secretary's clerks. The amount of emoluments paid to clerks and others connected with the Post-office in England and Wales, and derived from various sources, was 39,000*l.* a-year. In some departments the remuneration was very considerable, while in others it was trifling. Such irregularities and such a system of extra remuneration ought not to be permitted. In his opinion the whole system of the Post-office required revision. The charges of solicitors connected with the Post-office were not governed by any known table of fees. He must deprecate also in strong terms, as improper and unconstitutional, the practice of Post-office solicitors, requiring the private correspondence of gentlemen to be submitted to them for the purpose of prosecuting the writers. In such cases the authority of the Postmaster-General was made subservient to the interests of the solicitor, who took on himself to institute proceedings when he saw fit. The result of this was, that the public purse was brought to bear against individuals under the exercise of an irresponsible power; notwithstanding which, however, the penalties recovered were trifling, probably because proceedings were frequently brought against poor persons. The hon. Member next adverted to the inland office, in which there were six clerks of the roads, paid by salaries and perquisites arising out of the sale of newspapers, and from other sources. A petition which could not be received had been that day brought before the House, complaining of grievous exactions on the part of the clerks of the roads in Ireland in the exercise of the powers intrusted to them. The Report stated—and every thing he had heard or seen confirmed the opinion—that the Post-office ought to be conducted on more liberal principles. It was stated, that there should be two places of delivery, one in the western as well as in the eastern part of the town; an earlier delivery of letters; and a delivery which should include the letters of all classes, both rich and poor, at one and the same hour: the difference which now existed in that respect was equally unfair and impolitic. He believed it could not be denied, that there was an early delivery of letters in the metropolis, for which an extra charge was made. The Report showed, that there were two deliveries at the Post-office called window deliveries. It appeared that the office of clerk of the roads was one of those which was least required, and which admitted of the most abuse. After referring to the Secretary's office, which comprehended the control of the whole department, the hon. Member observed that there were 101 statutes relating to the Post-office. How was it possible for people to guard against violations of these laws? The hon. Member next alluded to the parsimony of the Post-office in not sending expresses, on the arrival of the Jamaica and Oporto packets at Falmouth, after the despatch of the regular mail. It was not expecting too much to require that the Post-office should, upon such occasions, imitate the conduct of the newspapers, and despatch the intelligence by a post-chaise. The conductors of the public journals displayed no such parsimony as the Post-office. Perhaps they benefited by a priority of intelligence upon the Stock Exchange, independently of the other uses to which the news was put. He intended no charge against the conductors of newspapers,—he cast no blame upon them, even if they did so benefit by the possession of early information. After quoting from the Report various details connected with Sunday arrivals and the management of the inland office, which the hon. Member described as being of a most complicated nature, he said it would require the full exercise of the abilities of a trained and competent person, who had been educated in the establishment, to manage the Post-office. He did not see why the Post-office should not be conducted as the Excise and Customs, by persons qualified by experience and practical knowledge to manage the department to the best advantage. Allegations were now publicly made, that parcels were broken open by the Post-office, to the manifest inconvenience and injury of the mercantile community. To mention no other inconvenience, the mixing up of samples, which thus occurred, occasioned the most serious inconveniences. He believed the law was clear that such parcels should not be opened; and he had been informed, that one of the greatest commercial establishments in the city had bearded the Secretary and Solicitor of the Post-office, by declaring that they would continue to send letters in boxes, leaving it to the Post office to prosecute if it pleased. The next point he should mention related to ship-letters. In 1815 it was found impossible for the Post-office to collect a revenue from the home postage of letters going to the colonies; and there was an understanding that in future such letters should be sent out of the country free of postage, on the proviso that letters coming from the colonies should pay *2d.* a-piece more than formerly; or *8d.* instead of *6d.*, which latter was the old charge. The practice was pursued up to a recent period with advantage; but it was now broken in upon, and letters could not be sent with the same ease and frequency as heretofore. He was sorry he did not see the Vice-President of the Board of Trade in his place. If the right hon. Gentleman were present, he would appeal to him to apply the principles of free trade to the transmission of letters; above all things, to remove all unnecessary restrictions, and provide for their security and rapid transmission. By the same law which enacted that ship-letters should pay 8*d.* postage, 2*d.* a piece was allowed for their carriage to the owners of the vessels which conveyed them. It was understood that the letters should be brought to the ports to which the ships were destined; but "no," said the Post-office, "the vessels shall be boarded by pilot-boats, &c., which shall carry away the letters, and land them at Falmouth, Plymouth, or where we please." The effect of this regulation was to convert the postage of 8*d.* into 20*d.* or 21*d.* the home postage, from the post being added to the original charge. The hon. Member instanced the transmission of a letter from New York by the packet-ship "Hudson" in December, 1827, which was taken out of the vessel by a pilot boat, and landed at Southampton. The letter was charged with the Plymouth postage, and a suspicion arose, not unnaturally, that the Plymouth post-mark had been placed upon it in London. He held the letter in his hand. He was ready to prove with respect to several thousand letters brought from the East Indies, that the twopences had been withheld from the captains of the ships which brought them, and never paid. What became of the money? He knew one instance of an American captain landing from a ship, and being requested to put a letter into the post-office of the port, but through mistake he carried it to London, and put it into the post-office here; the result was a prosecution and fine. [Sir *James Graham:* What is the date of the transaction?] Without going through the whole of the letter on the subject (which was a long one) he could not say. [Mr. Alderman *Thompson* said. The date is 1831, and the letter comes from Calcutta.] One of the reasons for objecting to letters being sent by private opportunities arose out of packets having been provided to convey communications to America and the colonies. But the provision was very inadequate; the worst class of vessels in the known world were his Majesty's packet-ships. They were dangerous, slow, and unsatisfactory. The speed of the American packets was much greater. It was not uncommon for the sailing of the packet from Jamaica to be announced here *viâ* New York, in consequence of the slowness of the one, and the speed of the other conveyance. The same defective and mischievous post-office system prevailed in the colonies as in the mother country—a system of sponging upon the commercial community by unfair charges of commission and exchange upon newspapers and letters. He objected to the mode of charging on double letters, which was infinitely inferior to the French system of charging by weight. The latter practice avoided all pretence for scrutiny and examination, which were the grand mischiefs of the English system. He was satisfied that it was utterly impossible for any party to express his sentiments by single letters so as to be secure from observation in the Post-office, where an effectual method of examining the contents of letters existed by means of strong gas-lights, and a particular description of shade. He should produce letters so folded that it would appear the seals had been broken, under pretence, no doubt, of information being lodged against the parties. If the public knew this fact, they had better send their letters to the Post-office at once, without the protection of either seal or wafer. For his own part, he had thought, till recently, that an unsealed letter would have been as safe from inspection in the Post-office as upon the table of any Member of that House. Now, however, he was of a different opinion. He held in his hand copies of a correspondence between the noble Post-master-general and himself, in which the noble Duke declared that he would do his utmost to put an end to the evils complained of. He believed, that the noble Duke had been to a certain extent successful; but he complained of the system, which allowed such proceedings to be repeated at any time under the noble Duke, or another Post master-General. He had received a communication from the Chairman of the Chamber of Commerce of Greenock, complaining of the abuses of the Post-office; and a memorial had been forwarded on the subject. In consequence of this he communicated with the Post-office, and the representative of the Postmaster-General at Edinburgh distinctly avowed, that there was "a necessity for examining every letter that passed through the Post-office," and, that "each postmaster had printed instructions directing him to ascertain whether letters had been legally conveyed, or whether any attempt had been made to evade the postage." A letter was sent to Mr. Ayton, a banker of Greenock, by the Post-office solicitor, requiring him to give up a certain letter, That letter he (Mr. Wallace) now held in his hand; it was written by a parish-clerk from a place about ten miles from Greenock, summoning Mr. Ayton to a meeting; the clerk carried the letter in his pocket to Greenock, and put it into the Post-office, and it was delivered, and a penny postage charged for it. Upon this transaction it was, that the solicitor of the Post-office sought to inflict a penalty on Mr. Ayton. There was another letter from Glasgow, upon which penalties to the amount of 570*l.* were sought to be recovered against J. Reed & Co., simply in consequence of the clerks of the Post-office having examined and discovered the contents of the letter.

Mr. Secretary *Stanley* asked whether the right of examining letters had not been expressly disavowed by the noble Postmaster-General, and whether the hon. Member did not say that he was satisfied with that?

Mr. *Robert Wallace* had told the Postmaster General, that he should be satisfied if a stop were put to the practices complained of, at the same time, he thought, that, as the law now stood, the Postmaster General did not possess sufficient power to put a stop to them, though he possessed the power to sanction much evil. He blamed the law, not the noble Duke, who had acted as well as he could. He had in his possession a communication from the Board of Trade at Greenock, referring to a statement on the part of the Postmaster General, declaring that the practices complained of should not in future occur at Greenock or elsewhere. Another he should refer to was addressed to James Scott and Co., wine merchants, and it was folded in that sort of manner that it was absolutely impossible its contents should be known (as they were known at the Post-office), unless the seal had been violated. In conclusion, he thought it necessary to state, that unless he received an assurance from Government of their intention to take the subject up, he should, in the next Session, move for a Select Committee to inquire into the state of the Post-offices of Great Britain and Ireland. The hon. Member then concluded by moving for Returns of all instructions or directions from authority under which Postmasters were authorized to open or unfold letters, or apply strong lamp lights for the purpose of ascertaining or reading the contents of letters fastened by wafer or wax, or unfastened; and for various other Returns connected with the management of the Post-office.

Mr. *Buckingham* said, that the hon. Member was wrong in condemning the practice of landing letters from inward-bound vessels at the outports. It was necessary to do so, as in many cases nearly a month elapsed after such vessels making land before they reached the ports of their destination. With respect to the old Post-office packets, he (Mr. Buckingham) could speak from his own knowledge on the subject, as he had been born at Falmouth; and he would challenge contradiction to the assertion, that of all the vessels that were ever constructed, the vessels carrying the Post-office mails were unrivalled for their speed. A prejudice had been of late created against the packets, in consequence of ships-of-war gun-brigs having been employed in the public service, and which had been commanded by naval officers; but enough remained of the old Post-office packets to show, that, for safety and speed, they were unrivalled.

Lord *Althorp* said, that he did not mean to object to the hon. Gentleman's Motion, at the same time, he must say, that a great portion of it might have been omitted, as the documents for which it called were documents that never existed. The hon. Gentleman was aware, that the Postmaster General had disavowed ever having given any authority to Deputy Postmasters in the country to open letters in order to ascertain where they were dated. But the hon. Gentleman handed to him, in proof, a letter across the Table; and he said, that it was impossible that the place from whence that letter was dated could be ascertained without opening the letter. Now, without breaking the seal or opening that letter, but in consequence of the awkward manner in which it had been folded, he, simply by looking into it, could, as easily as possible, read the word "Dublin," whence the letter was dated. But the Postmaster General had, as the hon. Gentleman was aware, disavowed having given to Deputy Postmasters authority even to look into letters in that way, in order to discover their dates. The hon. Gentleman, however, must see, that the date of this letter might be discovered without opening it. The notice which the hon. Member had placed upon the paper had not certainly led him to expect such a statement as that which he had now made to the House, for that notice was for "copies of the instructions under which Postmasters claim a right to unfold or open letters in all or any of the Post-offices of Great Britain and Ireland." It was scarcely to be supposed, that, in bringing forward such a Motion as that, the hon. Member would have gone into a general statement as to the whole conduct and management of the Post-office. There was not the slightest object to be gained in moving for such instructions, as no such instructions had ever been given by the Postmaster General, seeing that they would be instructions to commit a felony. The hon. Gentleman had referred to the Report of the Committee of Inquiry in 1829, to show the abuses that existed in the management of the Post-office. Now, he believed, that a large portion of the recommendations contained in that Report had been since carried into effect. The hon. Gentleman referred to a list of the clerks in the Post-office contained in the evidence submitted to that Committee, in order to show that, in many instances, more places than one were held by the clerk. He (Lord Althorp) would now state, upon the authority of his noble friend the Postmaster General, that, in the Post-office, at present, none of the clerks held more than one office. He would not follow the hon. Member through all his details, and for this simple reason, that looking, as he had said already, at the terms of the hon. Member's notice on the paper, he had not the least expectation that a general discussion of the whole system of the Post-office of England would have been entered upon on this occasion. With reference to the complaint made of the Post-office at Greenock, he was informed, that the hon. Member had expressed himself perfectly satisfied with the result of his application on that point to the Postmaster General. The hon. Gentleman was aware, that a fraud had been, in that instance, committed upon the revenue by the conveyance of the letter from Dublin to Greenock, where it was thrown into the Post-office. He was not prepared to go into the general discussion which the hon. Member had opened. He would merely caution the House against supposing that the statement made by the hon. Member applied to the existing system in the Post-office. Not only the Report to which the hon. Gentleman had referred, but one of the cases which he had cited were of old date; the latter occurred in 1827, and the Report was made in 1829, and it was hardly possible, that, taken unawares as they had been in this instance, he (Lord Althorp) and his colleagues could give any explanation of the circumstances to which the hon. Member had thus alluded.

Mr. *Charles Stuart* said, that he had come down to the House under the expectation that the Greenock case would not have been gone into, for, on a former day, he, in company with the hon. member for Greenock and others, had waited upon the Postmaster-General, and had received from his Lordship a most satisfactory explanation with regard to it. Indeed, the hon. Member expressed himself then so satisfied with the explanation in question that he (Mr. Stuart) understood him to say that he would either withdraw or postpone his Motion on the subject. Was it fit and proper, under such circumstances, for the hon. Member to endeavour to spring a mine under them, and under the Postmaster-General, and to bring the whole Post-office establishment of the kingdom before the House? With regard to the people of Greenock, they were perfectly satisfied as might be seen from the public Press there, with the result of the interview with the noble Duke at the head of the Post-office department. The general and very important subject into which the hon. Member had gone ought not to have been brought forward in this way. To all persons engaged as he was in commerce the undeviating regularity and despatch exhibited in the operations of such an extensive establishment as the Post-office were a matter of wonder. As the particular evil of which the hon. Member complained was in course of remedy, it was not fair towards the noble Postmaster General, or the establishment over which he presided, to drag it before the House in the way that the hon. Member had done. Great credit was due to that noble Duke for what he had done last Session to meet the wishes of the people of Glasgow in facilitating the intercourse with that town; and as to the Greenock case, the people of Greenock were satisfied with the explanation that had been given.

Lord *Lowther* said, he wished to put a question to the noble Lord with regard to the laws relating to the Post-office. Many and well-founded complaints had been made as to the laws and regulations of the Post-office. He would refer the noble Lord to the Report of the Revenue Commissioners in 1818, who recommended a consolidation of all the Acts relating to the Post-office. The Acts at present in force relating to the Post-office amounted to no less than 101; and when, therefore, any one had occasion to refer to the law with respect to the Post-office, he was placed in the greatest possible state of perplexity.

He begged to ask whether the noble Lord in the next Session would propose a Committee of Inquiry for the purpose of consolidating the Post-office Acts, as those relating to all the other revenue boards had been consolidated; when questions as to the general management of the Post-office, would be fairly and fully and properly discussed.

Lord *Althorp* could not at present give a pledge on the subject.

Mr. *Cobbett* would recommend the hon. member for Greenock (Mr. R. Wallace) not to have interviews again. They were very dangerous things. What he would say with regard to the Post-office was this—that a letter had been posted in the country addressed to him in London, which he had never received—that two witnesses could swear as to the putting the letter into the Post-office in the country—that the Postmaster there was ready to swear that he had received it; and yet the letter in question never reached his address. He made application to the General Post-office in London; but could get no account of his letter. It was a letter of some consequence, intended to be printed. He therefore had to complain of the General Post-office. It appeared in the present case that the Postmaster in Greenock stated, that he had authority to open letters. If he had not that authority—if he had not the right to do so—he ought to have been punished. Had he been punished? There was no answer to that question. He would recommend all who had complaints to make to make them to that House. He believed that the Post-office read all the letters that it liked to read.

Mr. Secretary *Stanley* said, that it would no doubt be a source of great regret indeed to his noble friend the Postmaster-General, to suppose that any possible neglect in the department over which he presided should have delayed, even for a single week, the transmission of those elaborate compositions which the hon. Member intended for publication in the *Register*. [Mr. *Cobbett:* They never appeared at all.] Still greater must be the regret, then, that they failed in reaching their destination. But with regard to the more serious complaint as to the opening of letters, the hon. Member said, that every one who had a complaint to make against the Post-office, or other public departments, should come with them to the House of Commons, Now, he (Mr. Stanley) thought it would be better and safer for the individual to apply in the first instance to the department of which he had to make a complaint. If he did not get redress there, then let him apply to the House of Commons; that was the proper course: but to say that every man who thought that his letters were opened either in Scotland or in England should come to the House of Commons at once, instead of applying to the Post-office for redress, was to say that that House should take upon itself an unnecessary load of business, without any prospect of thereby effecting any good. As to this present charge of breaking open the Greenock letter, which, in point of fact was not broken open, the letter itself was a fraud upon Government, for, though written in Dublin, it was taken over and put into the Post-office at Greenock. This fact was not disputed; the date was clearly to be seen by merely looking into the letter. Now here was a clear fraud; and it was, moreover, a fraud by which Government were defrauded of no small sum every day in the year: in point of fact, this species of fraud was carried on systematically at this place. It must be acknowledged, however, that the Postmaster at Greenock had in this case exceeded his duty, even though it were only in reading the portion of the letter alluded to. He must complain of the hon. Member who sought to turn the information he had obtained from the Post-office against that department, and even after he had stated in private, that with that information he was perfectly satisfied. Let the hon. Member bring forward any specific grievance; let him not turn to the reports of 1828, for the grievances therein referred to had been redressed; let him make a substantive motion; and he would find the Post-office department quite as ready to court inquiry as he was to institute it, and give relief for every case of grievance which could be proved to exist. If the hon. Member proved that any frauds were committed by any public officer, he would find no person more ready to suppress them than the noble person at the head of that department. Of the hon. Member's present Motion he must complain, for it could have no practical result.

Mr. *O'Dwyer* was prepared to prove, that the officers of the Post-office in Ireland were engaged in a traffic by which they defrauded the revenue. He knew that Clerks of the Roads—and he had documents to prove it—sent unstamped publications when they were ordered, through these Clerks of the Roads, free of postage. He had circulars in his hands announcing that and other similar facts, not in one instance alone, but in many.

Lord *Althorp* could assure the hon. Member, that the Clerks of the Roads were not authorised to forward any unstamped publications free. If they did so, those publications would be charged to them. Certainly, if the hon. Member could prove the existence of frauds—if he could prove that the Clerks of the Roads did commit these frauds on the Government—he should be most ready to receive the information, and make use of it.

Mr. *O'Dwyer* would most readily place his documents in the hands of the noble Lord, and prove the statements he had made.

Mr. *Robert Wallace*, in reply, repelled the attack made on him by Mr. Stanley, and denied, that he had seen any explanation of the circumstance mentioned in a Greenock paper. He reiterated his assertion, that letters should not be opened, as they were at present liable to be opened on account of the tax.

Motion agreed to.

FOREIGN ENLISTMENT ACT.] Mr. *John Murray* rose to move for leave to bring in a Bill to repeal the 59th Geo. 3rd. cap. 69, commonly called the Foreign Enlistment Act. He had hoped that some person of more weight than himself would have brought forward this Motion; for there never was an Act of the Legislature so little in accordance with the general opinions of the country. Parliament, however, when it passed that Act, was influenced by reasons which now did not exist. It was strongly urged that the country had made a treaty with Spain in 1814, and that, in accordance with that treaty, we were bound in good faith and honour, to pass a law of that description. That was the strongest reason which was urged in favour of the measure at the time. Mr. Canning, who supported the Bill, stated that in the strongest terms, and that reason prevailed. The House was satisfied; but the law had never given satisfaction to the country. He condemned the law, because it was unjust, unnecessary, inexpedient, and not calculated to give satisfaction to any of the parties interested. It was unjust, because it was the natural right of every man, when his country did not want his services, or could not employ him, to carry his industry, his skill, his talents, and his arms, into the service of any foreign country which might want his assistance. In particular the Act was most unjust to those gallant officers who had been dismissed at the peace, and who had no other means, not merely of raising themselves into distinction, but of saving themselves from poverty, except that of continually exercising their talents in that profession to which they had devoted their lives. Was it just to brand such men as criminals when they accepted foreign service?—and was it just to make their doing so a misdemeanor in the eye of the law? He did not deny the power of the Legislature to make such a law, but he denied the justice of the enactment. There was no greater spoliation than that which deprived a man of his natural right and natural liberty to make the most he could of his talents and his time. There was no right of property which, in his estimation, ought to be held more sacred than the right of every man to make the most he could by his industry. Yet for officers, whose business was arms, to enter a foreign service, was by this Act branded as a misdemeanor and a crime. He said, therefore, that the law was unjust; and it was as unnecessary as it was unjust. It was not necessary to preserve neutrality. He was prepared to prove, though he would not then trespass on the House, that there was no writer of any authority on the Laws of Nations — neither Vattel nor Bynkershoeck, who laid it down as a breach of neutrality, for individuals to serve in any country whatever. Provided men did not carry arms against their native Sovereign, they were at liberty to enter a foreign service, and were not guilty of a breach of neutrality by their entering into such a service. The Act was inexpedient, because it gave rise to complaints of a breach of neutrality, when the Government was unable to prevent its subjects entering a foreign service. It promised, therefore, what it could not perform, and was inexpedient by making foreign Governments look to our Government for what it could not accomplish. It was, he thought, also useful, that our officers should keep up their skill in arms, when our own country was at peace; and it was far better than starving at home, that they should go abroad, where they improved their skill, and added to the military renown and glory of their country, He would not say, that the Government ought to encourage them to go, neither ought it to restrain them on the ground of taking care of them. The Government was not to consider itself a careful nurse of men, and keep them out of danger; it should leave them to run the risk, or take care of themselves. The law was useless, too, and merely encumbered the Statute-book. If it had no effect, it might be asked why he complained of it? He complained of it because it encumbered the Statute-book, and because it was a disgrace to the Legislature to frame enactments which were of no use. Nobody now desired the continuance of the law. There was no large class of the community who wished it to be retained. He believed, however, that his Motion was not to be opposed, and he would not enter into long arguments with a view of refuting objections that might never be made. He would not tire the House with going further into the subject, as he should only risk disturbing that unanimity of feeling in favour of his Motion which he believed would prevail. The hon. Member concluded by moving for leave to bring in his Bill.

Mr. *Cobbett* did not rise to oppose the Motion, but merely to state, that he believed that the hon. Member was wrong in his law. The hon. Member had referred to Vattel, and some writer with a hard German name; but all those writers must admit, that the Government must have power to restrain its subjects and prevent them going into foreign service, or it would have no power to protect itself. The hon. Member contended that we ought to supply neither party with stores or men. Such was the doctrine laid down by the American Government during two wars, and on that doctrine it had successfully acted. With respect to officers starving, that could not be, for they had all half-pay; and as that half-pay was given them to retain their services in future for their own Sovereign, how was that compatible with entering a foreign service? He said he did not mean to oppose the Motion; he only rose to say that he thought the hon. and learned Gentleman was wrong in his law.

Sir *Robert Inglis* did not rise to oppose the Motion, but to protest against some of the doctrines of the hon. Member. The hon. Member spoke of men entering a foreign service as if they might abandon their country. He must object strongly to the doctrine of the hon. Member. The hon. and learned Gentleman had referred to the natural right of men to carry their talents, their skill, and their arms, into the services of foreigners for the purposes of war. He must deny that there was any such right. It was making that the common privilege of individuals, which was the last resource of patriotism, to which nations under the guidance of reason could apply. No man, he contended, had a right to kill his fellow man, except in the cause of his country. No man had a right to shed blood. The command was, that blood should not be shed. He was afraid, from what he saw, that the House was prepared to admit, that men might carry their strength to a market of blood. He heard it said, that men might fight for a good cause; then one side in every contest in Europe must be good. That would risk embroiling us with every State in Europe. That, however, was not the only view in which he objected to the doctrine of the hon. and learned Gentleman. He objected to it, because the doctrine was injurious to the principles of morality, and was subversive of all rational liberty. If they admitted the doctrine of the hon. Member, they must be prepared to run the race of the Buccaneers at sea, and of the Condottieri on land. It would revive the law and the trade in war which existed in the thirteenth and fourteenth centuries. He denied that any men could engage in a war, or take life, except by the command of their lawful King. War was not a game for subjects to play at, nor for Kings either; and was only to be had recourse to, and could only be considered lawful, when in defence of the liberty of the country and of religion. He saw it was in vain to oppose the Motion, and he did not rise for that purpose, but only to protest against the doctrines of the hon. Member.

Mr. *O'Connell* said, none of the arguments of the hon. Baronet had shown that the Act was operative and effective, or could be made so. In fact, it could not. What had happened in Ireland? Why twenty-five Acts had been passed against the Irish entering into foreign service, threatening them with all the horrors of drawing and quartering; and, within fifty years after the Treaty of Limerick, 144,000 Irish had perished in the service of France. The present Act was a most clumsy contrivance. It could not be executed. Parties offending against it could only be convicted by the evidence of an accomplice, which was precisely that sort of evidence a man would not like to trust. This Act was imperative on nobody. It bound neither the Crown nor the people to execute it. The Crown could dispense with it by a proclamation, and it exposed the Crown to suspicions. The party which desired to enforce its operation, finding it not successful, of course accused the Government, and thus it might give rise to war. It was a statute which ought not to exist; it was wholly unwarranted, and it ought to be repealed. With respect to the doctrine of the hon. Baronet, it might be carried further. It would, perhaps, justify those men who went about among the soldiers distributing pamphlets three or four years ago, telling them that war was a bloody trade. The doctrine of the hon. Member did not go far enough, or it went a great deal too far. The hon. Member said, that a lawful King might command war; but he (Mr. O'Connell) said, that no lawful King could properly command his subjects to cut the throats of men in an unjust cause. He admitted, that men might fight for liberty and for their country; but he denied that they might fight for religion. He protested against the doctrine that men should fight in defence of their religion. There was no doctrine which had done so much mischief in the world as that of fighting for religion. Religion was not made to be fought for, and there was bitterness enough in the world without mixing up blood in the chalice of salvation. He felt it his duty to protest against the doctrine of the hon. Member. It was time that men were disabused of the notion that they might fight and shed blood, if they were commanded, by a lawful King. That doctrine struck at the root of all morality. Men should only fight in a just and good cause. He must say, that he did not think the hon. member for Oldham was very correct in his law. Men might engage, he thought, in any war, if it were just. Foreign nations might have just wars as well as ourselves, and in them a man, convinced of the justice, might properly serve. It must, to be sure, be a strange conviction which could enter the mind of any man, that the cause of Miguel was just, yet beef and pork were sent from here to support him, and arms for his men to kill the Pedroites; everything was supplied to him. The only question was, could he pay? But when it was admitted, that the instruments of war might be supplied, was it forgotten that those instruments were made by men? The instant, however, a man went to use the instruments, then it became a crime. Could any man believe in his conscience that the gallant Napier, in assisting Don Pedro, was guilty of a crime? That gallant officer was fighting in the cause of constitutional freedom. He was assisting to establish a portion of the democratic principle in the South of Europe, and fighting the good fight against that despotism which might otherwise overshadow the earth. No man could think that this was abominable. The conquest of the gallant Napier had rescued one part of Europe; freedom might be secure on that side, and might now turn her attention towards the despot of the north, and be prepared to clip his eagle wings. The question was in that state that he thought it wrong to take up the time of the House, but he would give the Motion his hearty support.

Colonel *Evans* would not quarrel with the essays of morality which had been pronounced by the hon. Baronet, the member for Oxford, though he must complain of the comparison on which the hon. Baronet had placed the gallant heroes who would serve in a good cause with the buccaneers and condottieri of former times. The buccaneer had served solely with a view to plunder, and with a total indifference as to the cause in which he served; not so in the case now before the House. Neither could the individuals affected by the Foreign Enlistment Bill be put in comparison with the condottieri, for, unlike that body, they did not serve the cause which could pay the best. If any man could bring himself to believe, that the cause of Don Miguel was just, it would be an injustice to prevent others from embarking in that of Don Pedro. In every point of view, he considered the repeal of this Act desirable, and particularly as the employment of officers in the British service in warfare would contribute, in case of need, greatly to the efficiency of the army of this country. The navy of this country had been much strengthened by the recent achievements of Captain Napier, as it had previously been by those of Lord Cochrane, in the cause of freedom; and it was expedient to repeal a Bill which had been inoperative for good, but operative for evil purposes. The Bill originated twenty years ago, in a wish to prevent the service of British subjects in the South American war; yet 20,000 English subjects had been engaged in those wars, which had not only damaged the commerce of this country, but also had greatly prolonged the horrors of those wars. So, also, in the case of Greece, with regard to which there was a declared neutrality on the part of the Government of this country; yet when the contest continued, the Government had found it necessary to interpose. This would not have been required if the present law had not existed, neither would the Russians be, as they now were, in possession of the Black Sea. The war in Portugal had been protracted in the same way, and he believed, that, but for the law now in force, a saving of from 200,000*l.* to 300,000*l.* a-year would have been made in the pension-list of this country, because many lives would have been lost in the war, and many officers would have been otherwise employed.

Mr. *Cobbett,* in explanation, said, that the law of the Holy Alliance, as this was called, went word for word with an Act passed eighteen months before by the American Congress.

Sir *James Scarlett* had opposed the Bill in question when it was first brought forward, and experience had proved to him that it afforded no practical advantage. He must, however, remind his hon. and learned friend opposite (Mr. Murray), that, if he repealed the Bill generally, he would make that a felony which now only amounted to a misdemeanour. He was not disposed so much to differ from the law of the hon. member for Oldham. It was admitted, on all hands, that there was a power by the common law in the Sovereign to restrain his subjects from joining or engaging in a war, and after a proclamation, by making it a misdemeanour. He had ever thought that power sufficient. By the common law it was an act of felony for a British subject, after the proclamation of his Sovereign, to join the army of any acknowledged government; but this did not apply to revolted provinces, and hence it was, that, with regard to South America, complaints had been made by the Spanish minister, that the laws for the prevention of interference by British subjects were unequal. He should support the Motion so far as it went to restore the old common law of the land.

Sir *Edward Codrington* supported the Motion, and observed that he differed from the statement that there was no distress amongst those who had served their country. He would ask, was 250*l.* a-year a fitting reward for a man like Captain Napier, who had encountered so many dangers and disasters? The distress amongst half-pay officers was great, and it was refused to afford a man the opportunity, by his own exertions, of alleviating that distress. It had occurred to himself, that on an application he had made to the Admiralty, on behalf of a lieutenant in the navy, leave had been refused to him to engage as mate on board a merchantman. The half-pay of the individual was about 90*l.* a-year, and it was said at the Admiralty, that such a service as that in which he sought permission to engage, was not worthy the station he held. He could not see why, when merchants were not impeded in their traffic with contending parties, those engaged in the service of this country, actuated not by desire of mere lucre, but by feelings of high honour, should be prevented re-embarking their services in any cause they liked. He felt indignant to hear gallant officers, who had gloriously engaged in such service, spoken of in the manner which had reached his ears. As to the service of this country in a pecuniary point of view, he had himself told fathers rather to cut their sons' throats than to permit them to enter it. He must confess, that he honoured the services of Captains Napier and Sartorius upon the recent occasions, and when the importance was considered of an opportunity of bringing up young officers so as to be able gloriously to carry on a war, should it, contrary to his wishes, arise, he was sure the House would be unanimous in getting rid of this odious Bill. He called it an odious Bill, because it prevented the advancement of those engaged in the service of their country, while it presented no obstacle to an avaricious trading in the materials by which alone a warfare could be carried on. He gloried in the breach of this law by Captains Napier and Sartorius, and they had added to the reputation of their country, and he hoped would be restored to their rank in its navy.

Mr. *Finch* gave every credit to the valour of the gallant officers who had been mentioned, but he thought, on the consideration of such a subject, the interests of the State ought not to be forgotten. The House ought to pause before it did away with a law which might become essentially necessary, under a peculiar state of circumstances that might arise.

Lord *Althorp* was of opinion, from the experience he had of the Bill, that it was detrimental to the country, as well as inoperative in itself; and, therefore, he most certainly thought it should not remain on the Statute-book. Much had been said about a breach of neutrality as to contending parties, but he thought, if the laws of a country allowed its subjects to assist both according to their own feelings, there could not be said to be any breach of neutrality. He could conceive cases in which it would be the bounden duty of the sovereign to interfere with the powers with which he was invested by the common law —he meant in cases of the training and disciplining of troops in this country for the service of foreign states, which clearly would be a breach of the common law, and might be much better prevented by it than by any provision contained in the Foreign Enlistment Bill. By repealing that law, the Sovereign would not be liable to the imputation of not enforcing the execution of the law, which was almost impossible. He should, therefore, give his most cordial support to the Motion.

Mr. *Kemyss Tynte* supported the Motion, and deprecated the comparison upon which the hon. Baronet (the member for Oxford), had placed the British sailors with buccaneers and condottieri; the first fought for the cause of liberty, and the latter for those who could pay the best. He should vote for the Motion if it only had the chance of restoring Captain Napier to his rank in the British navy.

Mr. *Robert Grant* considered the question before the House to be entirely independent either of questions of neutrality, or the effect of the common law; and it was practicable to vote for the repeal of the act in question, without broaching either of those topics, both of which had been introduced into the debate. It must be in the recollection of many hon. Members the grounds upon which the Bill had been introduced by Mr. Canning in the year 1814. Mr. Canning had then stated the Bill to originate in a treaty with Spain, under which the Sovereign of these realms had undertaken that no supply of arms, ammunition, or men, should be afforded from this country to South America, and that no security was afforded to the Crown for the fulfilment of this treaty without the passing of the Act in question. Though the Bill pledged the nation generally to neutrality, yet it never was intended to pledge its subjects individually from engaging, if they should so think fit, in foreign services; and reverting to the history of this country, he felt no hesitation in now giving his support to the present Motion. Without acceding to the accuracy of the law laid down by his hon. and learned friend who had brought forward the Motion, he should reserve to himself the right to discuss the provisions of the Bill when it should be introduced.

Leave given—Bill brought in and read a first time.

Borough of Leicester.] Mr. *Halford* said, he rose to bring forward a Motion of which he had given notice, and the object of which was to rescind the order made in the month of May last. That was an order upon the Corporation of the Borough of Leicester, to lay before the House certain Returns relative to the amount of the income of some property left for charitable purposes, under the will of Sir Thomas White, in 1556, and also relative to the manner in which that income was expended. The value of those funds depended on the respectability of those to whom they were intrusted, and those trustees were amenable to the Court of Chancery for any abuses of which they might be guilty. If any evils existed, the Court of Chancery was the place in which to seek for the remedy against the trustees of a charity, and not in the arbitrary interference of this House. Besides this, these trustees might be called to account before the Boards of Commissioners acting under the authority of the Act passed to regulate charities, which Act was in full operation. In his opinion the trustees ought not to comply with this order, and he hoped the House would not think of confirming it. The charity was directed to assist individuals by the loans of money. These individuals were generally tradesmen, to whom such assistance was sometimes of the utmost importance, and whose names it would be invidious to disclose in the manner now required. He trusted, therefore, that the House would not exert its authority in this matter, which was only brought forward to gratify a turbulent faction in a country town. He moved that the order be rescinded.

Mr. *William Evans* observed, that his constituents wished to know the manner in which these funds were administered, and they had good reason to do so. The property was supposed to amount to 15,000*l.*, which was lent out in sums of 100*l.* each, to different individuals; and it was payable only at the end of nine years, and then without interest. Application had been made to the Court of Chancery, and twenty-seven years ago an order for an account of all the names of the persons to whom these loans had been made was granted by that Court, but no information had yet been obtained. An order of that House, of a similar kind, in 1828, had been equally unavailing. The general feeling of the people of Leicester was, that these loans were not made impartially as

Sir Thomas White would have required, but were employed for the purpose of keeping up a political influence in the town; and that by them such influence had, in fact, been kept up. The Corporation had more than once proved that they knew how to meddle with election matters. He should, therefore, press the House to reject the Motion of the hon. Member.

Sir *James Scarlett* was convinced that if the attention of the House could have been fully drawn to the order at the time it was moved, the order never would have been made. The House could not grant it without an improper interference with private property. If the trustees had been guilty of abusing their trust, the Court of Chancery, and not that House was the place in which to call them to account. No tribunal could be worse fitted for doing impartial justice in the case than the House of Commons, and he implored the Members not to set so dangerous a precedent. The Motion had his hearty support.

Mr. *Hume* said, that no Corporation had more misapplied its funds for political purposes than that of Leicester, and all that was wanted was full information. The House of Commons was the fittest channel for obtaining that information. It really seemed as if the Corporation was afraid of inquiry, and, therefore, did not like to produce the papers. All that was needed were facts, without the intervention of the Court of Chancery.

The *Attorney General* reminded the House, that the funds, the distribution of which was to be inquired into, were not corporate, but private property. Every day a Court of Equity dealt with, and decided such questions, and the parties were put to their oaths upon the subject. The House could not take into its hands the administration of charities, which belonged to the functions of a Court of Justice. If the Corporation of Leicester mal-administered the funds, it was liable to an information *ex officio* by the Attorney General, who could not, without the risk of condign punishment, refuse his sanction to such a proceeding. This course would both reach and remedy the evil, if any existed. The Commissioners of charities would soon examine into the subject, and expose the abuses of the charity.

Mr. *Wynn Ellis* contended, that this charity was a public trust, and that the House ought, therefore, so far to interfere as to order the documents to be produced.

Motion negatived.

CANADA.] Mr. *Hume* moved for a copy of the official correspondence which had taken place on the removal and subsequent restoration of the Attorney and Solicitor General of Upper Canada. He thought that, in reference to that matter, the conduct of the right hon. Gentleman (the Secretary for the Colonies) had been so injudicious and ill-advised, that unless explained and justified, he must say, that it was, in every point of view, deserving of blame. There had been loud and earnest complaints of the mode in which the affairs of that colony had been administered, and he could not understand how two Secretaries of State could act in a manner so totally different from each other, when both of them were Members of the same Government. The functionaries, to whose conduct his Motion referred, appeared to have been dismissed in the just and fair vindication of the authority of the Secretary of State, and since then those Gentlemen had been restored, contrary to the wishes of the people resident in the colony, and for no reason that he could possibly discover. The complaints of the colonists were unattended to, and, in his judgment, the whole system of our colonial policy was erroneous and mischievous, and ought forthwith to be reformed.

Mr. Secretary *Stanley* said, that the hon. member for Middlesex, had made out no case to justify the demand made for the production of those papers, which, though in some degree public, were also somewhat in the nature of private communications. The hon. Member had said, that there was great discontent in the colony, in consequence of the proceeding to which he had adverted; but he had not gone into detail, and he (Mr. Stanley) trusted, the House would dispense, at that hour, with any details of the local politics of Upper Canada. He concurred with those who contended, that the Government had a right to the full and cordial support of its officers; but the Government themselves could be the only judges what did and what did not constitute a support of their measures. The two functionaries in question had not been objected to on any ground connected with the mode in which they had discharged their official duties; and as to the support of opposition which they gave to Government, they were, he thought, matters with which the House could not well interfere.

Motion withdrawn.

TITHE ARREARS (IRELAND).] The Report of the Resolution for granting the sum of one million sterling for the Arrear of Tithes (Ireland) was brought up.

On the Motion that it be read,

Mr. *Hume* protested against this grant as a shameful charge upon the funds of this country, and as contrary to every promise held out in the commencement of the Session.

Mr. *Littleton* agreed, that the people of England ought not to be called upon to support the Irish clergy as a general rule; but the present money was granted under peculiar circumstances of distress on the part of that clergy; and, besides this, there was every prospect that the whole amount of the grant would be ultimately repaid into the Exchequer, and thus the country would suffer no loss.

Mr. *Aglionby* strongly protested against the grant as most unjust, most impolitic, and most inexpedient. If the Irish clergy were so distressed as was described, let the over-fed portion of the clergy support their poorer brethren. The Irish Church Temporalities Bill had been in a great measure destroyed by the declaration that the Temporalities of the Church were to be dedicated solely to Ecclesiastical purposes; at any rate, let the support of these poor clergy be included in these Ecclesiastical purposes.

The House divided on the Question, that "The Report be read"—Ayes 34; Noes 15—Majority 19.

The Report was read; and a Bill according to the Resolution ordered to be brought in.

List of the AYES.

Agnew, Sir A.
Althorp, Viscount
Bentinck, Lord
Campbell, Sir J.
Childers, J.
Duncannon, Lord
Ebrington, Lord
Egerton, W. T.
Ellice, Right Hon. E.
Evans, W.
Gordon, R.
Graham, Sir J.
Hay, Colonel
Hyett, W. H.
Inglis, Sir R.
Johnstone, A.
Kennedy, T. F.
Littleton, Rt. Hn. E.
Lowther, Lord
Molyneux, Lord
Morpeth, Lord
Murray, J. A.
O'Reilly, W.
Penleaze, J. F.
Philpot, John
Plumptre, J. P.
Poyntz, W. S.
Shaw, E.
Stanley, Rt. Hn. E. G.
Stewart, P. M.
Sullivan, P.
Thomson, Rt. Hn. P.
Wood, C.
Wood, G. W.

TELLERS.

Brougham, W.
Baring, Francis

List of the NOES.

ENGLAND.

Beauclerk, Major
Blamire, W.
Brotherton, J.
Dykes, F. L. B.
Evans, Col.
Gisborne, T.
Hall, B.
Hawes, B.
James, W.

SCOTLAND.

Wallace, R.

IRELAND.

Blake, M.
O'Dwyer, A. C.
Ruthven, E. S.
Ruthven, E.
Vigors, N. A.

TELLERS.

Aglionby. H. A.
Hume, J.

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HOUSE OF LORDS,
Wednesday, August 7, 1833.

MINUTES.] Bills. Read a third time:—Quaker's Affirmation; Scotch and Irish Vagrants; Hyde Small Debts Troopers Fund.

Petitions presented. By the Earl of KINNOUL, from Perth, in favour of the Burgh Magistrates (Scotland) Bill.—By the Bishop of LONDON, from a Number of Individuals, Clergymen and others, for the Reform of the Church Establishment and its Discipline.

REFORM OF THE CHURCH.] The Archbishop of *Dublin* spoke as follows:*—My Lords, I have the honour to present to your Lordships a petition from the Archdeacon and Clergy of the Diocese of Kildare, signed by the Archdeacon in their names; and as the petition is very short, I will read it. The petitioners state—

That your petitioners, aware that every thing human, civil, or ecclesiastical, requires, from time to time, revision and correction, do not consider the United Church of England and Ireland exempt from this principle.

That, in the humble opinion of your petitioners, the ecclesiastical laws, by which the Church is now governed, require better adaptation to the altered circumstances of the country.

That the practice of our Ecclesiastical Courts, in matters connected with the welfare of the Church and best interests of religion, has ceased to be conducive to the important objects for which they were originally established.

That the Church of England and Ireland, viewed as an important integral part of the Church of Christ, ought, as such, to enjoy the privilege permitted to other churches and religious bodies, of being governed by such laws as best promote the performance of the sacred duties required of her ministry, and provide for the spiritual discipline of her members.

That they consider it highly important to the safety and prosperity of his Majesty's dominions, that the Church should be so governed, inasmuch as the doctrines and precepts which she maintains, when duly inculcated, must always exercise the most important influence over the consciences of his Majesty's subjects; teaching them, on the highest principle, the duty of submission and obedience to the laws which the wisdom of the Legislature may enact.

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Your petitioners, therefore, humbly pray that your Lordships, if it should be deemed advisable, will be pleased to enact such laws as may appear most calculated to promote the spiritual improvement of our Church, and to renovate and reform its government, so as to render it more suitable and better adapted to the altered circumstances of the country.

Now, my Lords, I am desirous to mention that the prayer of this petition, though entirely in accordance with the views of the Bishop of the diocese of Kildare,—as I learn by a letter from himself,—yet was drawn up and agreed to at a public meeting, without any suggestions from that venerable Prelate, and is the spontaneous act of the petitioners themselves. In presenting this petition to your Lordships, I cannot refrain from troubling you with a few observations on the very important subject to which it refers. I beg to observe, however, that in stating what I believe to be the sentiments of the petitioners, I speak merely my own belief, as grounded on my own observation; and, I must add, no hasty or careless observation,—but not as authorized by any express commission from them. I can confidently say, then, that I am satisfied they are not, in the smallest degree, ill-disposed towards the system established by our Protestant Reformers, and towards the fundamental doctrines of the Church of England and Ireland. I say, confidently, my Lords, that they have no hostile feeling of this kind; and that even whatever difference on any point of religion may exist between any of them, they are all agreed in sincere attachment to the system. I am perfectly and entirely convinced also, that, as far as civil government is concerned, there is not a more loyal body of men living. Whatever differences of opinion they may entertain with respect to several political questions, of this I am convinced, that they venerate the Constitution of this country,—and, as part of that Constitution, the union of the two islands. Any disturbance of the union between Great Britain and Ireland, either in Church or State, is the last thing they would seek. I am convinced, also, that they have no thought of complaining of any act of encroachment on the part of the civil Government in purely ecclesiastical affairs,—in matters altogether spiritual: and that they have no idea themselves of encroaching on civil affairs. They have no wish, I conceive, of creating anything like an *imperium in imperio*,—a body empowered, like the original Convocation, exclusively to control the temporalities of the Church. Nor do they again complain, that the civil power is disposed to do too much in religious matters. On the contrary, they perceive that the Parliament of this country, although the fountain of legislation in all matters, ecclesiastical as well as civil, has not considered the more purely ecclesiastical matters as coming within its province. No one has the power, at present, to interfere in the affairs of Church government, except the civil Legislature; yet the petitioners feel that Parliament, even when it consisted, as formerly, exclusively of professed members of the Church, has always shown a backwardness in interfering with subjects connected with the forms and internal regulations of the Church. I understand, then, the wish of these petitioners to be, that some inquiry should be instituted, or some commission appointed to make inquiries, with a view to making such alterations in these matters as may be deemed expedient. They are not, however, as far as I know or believe, anxious for any great or fundamental changes; nor, indeed, for any changes at all, if, upon inquiry, they shall be considered unnecessary. But they feel,—and it is a feeling which pervades the minds of many men of scrupulous conscience,—that there is at present no individual, or body of individuals, to whom any questions of doubt and uncertainty, or of scruple and objection, may be referred,—no constituted authority to whom application can be made, in order to determine, on examination, whether an alteration is needed or not. And I am myself convinced, that it is highly desirable, (without pretending to say whether any change is necessary or not,) that as regards proposed alterations in the Liturgy, or in the Articles, or the appointed Lessons, the authorized version of the Scriptures,* and other matters of a like description, there should be some responsible person, or body of men, to whom such points might be referred for examination and inquiry, in order to determine whether alterations are or are not called for. It should be observed, my Lords, that serious alarm may be excited, even in reference to trivial matters, if there is no competent authority to whom to apply. Some points of exceedingly small importance in themselves may be left in such a state as to be indicative of a neglect and apathetic disregard of Church affairs; and it is this point particularly which I imagine the petitioners regard with anxiety. They do not, I apprehend, object to the main principles of the Articles of the Church: yet they cannot, I think, but consider that some of them require revision. For example,—one of the Articles contains a declaration in respect to the Homilies, that they contain godly and "wholesome doctrine, and necessary for these times." Now, it never can be contended that the framers of the Articles designed to exact of all future generations such a nugatory declaration, as that of the suitableness of these Homilies for the time of Edward 6th. Their intention must have been, either that new Homilies, suited to the wants of successive periods, should be put forth from time to time, or that the Article in question should be withdrawn. Neither of these has been done: and it is, therefore, indicative of a general neglect of the affairs of the Church, that these Homilies are left in the state in which they were at first framed, though everything else has been changing around them,—that the Article relating to them remains unaltered,—and that no power or authority exists whose business or province it is to look to such matters. The Lessons, again, appointed to be read, the authorized version of the Scriptures, and the Liturgy, may be all of them, just as perfectly adapted for the present day, as they were for the age in which they were framed; but what, I conceive, the petitioners complain of is, that there is no person, or body of persons, to decide whether they are so or not. If any word be obsolete, or if any doubt exists as to the propriety of a phrase, which it may by some be thought advisable to change, there is no one competent to decide the point; there is no body of men whose proper province it is to inquire as to the propriety of making the alteration. Both these petitioners, and, as far as I can learn, many of the clergy both of Ireland and of England also, feel this strongly in their own minds, and consider it to be, in others, one of the great causes of dissent and defection, or of indifference, towards the Established Church. It is a common feeling (whether well or ill-grounded) in the minds of many men, that incongruities and inconveniences do exist, and that a reform, greater or less, is required; but the natural question is, how, and by whose authority, is it to be accomplished? And there are many who are open to a feeling of disgust from the knowledge of there being no such competent authority to effect that object. There are many, perhaps, of these persons who do not seek unnecessary change; and who would even be perfectly satisfied, though on this or that point no alteration were made, provided it were certified on proper authority, that everything, in respect of any such point, was right, and that no alteration in it was desirable. If any building were but suspected of being in a state of dangerous decay, much alarm would be excited by its being understood that no workmen could, or would, be sent up to inspect the condition of its roof. But if such an examination did take place, and the result was, that every beam and rafter was found perfectly sound, and needing no repairs, no one would say, that the sense of security thus obtained was too dearly purchased. Such are the feelings with which, I conceive these petitioners come forward. I know that the same feelings are entertained by many clergymen of my own diocese;—it is, therefore, not a feeling peculiar,—nor is there, indeed, any reason why it should be peculiar,—to the clergy of Kildare. I believe, indeed, that the same exists to a great degree, not only in Ireland, but in England also; and I would beg to suggest that this is a state of things which ought not to be suffered to continue. I am addressing your Lordships, not as persons who regard the Church as a political engine rather than as a religious institution; not as men zealous for the Establishment, merely as an establishment;—as men anxious for the means, and indifferent to the end;—as careful guardians of Church-property, merely as property; without any regard for the great objects for which the Church was instituted and endowed,—the moral and religious improvement of the people;—as caring, in short, more about "the gold of the Temple," than the Temple that "sanctifieth the gold;"—but I address your Lordships as men fully sensible that the important questions relative to the Church, which have lately been, and which are likely to be, anxiously discussed in this House, derive nearly the whole of their interest from their connexion with the matters to which this petition relates; the utility, in a religious point of view, of the Church Establishment. Whatever differences of opinion may exist, as to the best means for securing that end, I trust your Lordships are agreed as to the paramount importance of the end itself. I, therefore, ask your Lordships,—with a view not only to the safety, but also to the security of the Church,—its immunity not only from danger, but from apprehension of danger,—whether the state of things, which I have been describing, should still continue? I trust such steps will be taken that the Church may be made not only secure, but efficient; so as to satisfy and to benefit, as far as possible, all those who are willing to be satisfied. I trust the suggestions conveyed in this petition will not meet with neglect, or inattention; and that some measures, in accordance with it, will be resolved on. I presume not—nor do the petitioners—to dictate to this House what particular course should be adopted; but only to suggest that some should be adopted,—for instituting inquiry into those matters connected with the religious functions of the Church, which may be considered as needing inquiry. Then, should it even be decided, that nothing whatever should be altered, but on the contrary, that every thing should remain as it is, such a declaration, coming from a competent authority, would satisfy the minds of many persons who are not now satisfied; because, then, they would be given to understand, that if alterations were not made, it was from its being ascertained, on deliberate inquiry, that they were not needed; and not merely because there are no persons duly authorized, who care to introduce them.

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* This last point, it should be observed, is one which concerns not only members of our Church, but also dissenters; almost all of whom use our version.—*Note by Dr. Whately.*

The Bishop of *Chichester* said, nothing was so much required as the institution of an inquiry into the best mode of reforming the ecclesiastical law.

The Marquess of *Westmeath* expressed his surprise, that the petition which had been sent from the diocese of Kildare was only signed by one person. He should have wished to have seen all the clergymen of the diocese of Kildare sign it. Was there any thing in it inconsistent with the thirty-nine articles to which they had subscribed?

The Archbishop of *Dublin* said, there was nothing in the petition which went to dissent from any thing the clergy had subscribed to. The petition was signed by the Archdeacon, in the name of the clergy who were at the meeting, and which was very fully attended. He could express his full conviction that there was nothing in the petition contrary to the Thirty-nine Articles.

Petition laid on the Table.

THE CARNATIC CREDITORS.] The Earl of *Aberdeen* said, that before the House went into Committee on the East-India Bill, he would, pursuant to notice, present to their Lordships a petition against some provisions of the Bill. He felt he should only be doing his duty by shortly calling the attention of the House to the nature of the objection and the reasonable prayer of the petitioners. The petition came from certain creditors of the East-India Company, who were holders of Carnatic Stock. They complained, and he thought very justly, that their interests were neglected by the Bill, their security injured, and that public faith would be by it broken. His noble friend the (Duke of (Wellington) had on a former night explained to the House the injury that would be done to another class of creditors by the Bill now before the House. In a very few words he (Earl Aberdeen) would describe the situation of these creditors. The specific complaints which the petitioners made of the Bill were,—that the Company had secured their dividend of 630,000*l.* per annum, and that it was to have a priority of other claims; and, also, that the guarantee fund of 2,000,000*l.* should be constituted a primary security to those with whom the petitioners contended, that, under the faith of an Act of Parliament, they had an equal claim. The petitioners prayed to be heard by Counsel at the Bar. The petitioners, had, the noble Earl stated, a pecuniary interest in the matter, and he, therefore, thought that they ought to be heard at the Bar. He meant to make a Motion to that effect.

Lord *Auckland* said, that the petitioners would in no respect be placed in a worse situation than at present. There was no intention on the part of the Government to place them in that situation. The question was of a complicated nature, and he hoped that their Lordships would not come to any hasty decision. He hoped, that the noble Earl would postpone his Motion for a few days, in order that the Ministers might ascertain what could best be done to meet the difficulties of the case.

The Duke of *Wellington* admitted, that the Government did not intend to place these gentlemen in a worse situation than they now were; but he contended; that the Bill did actually place them in a worse situation. It did away with the Parliamentary provision for their payments. The assets even to which they had to look were taken from the Company, and taken into the hands of the Government. The provisions made by former Acts were done away, and the creditors had nothing left but a clause, directing the Board of Directors, the debtors, to make arrangements in favour of their creditors, under the sanction of the Ministers. That was not equal to the provisions of an Act of Parliament. It was impossible that some further provision should not be made for the further payment of these gentlemen. The Bill ought to contain a provision for the payment of these creditors in England.

Petition laid on the Table; Motion for hearing the petitioners at the Bar postponed.

EAST-INDIA COMPANY'S CHARTER.] The House resolved itself into a Committee on the East-India Company's Charter Renewal Bill.

The remaining Clauses were agreed to with verbal Amendments.

House resumed.

HOUSE OF COMMONS,

Wednesday, August 7, 1833.

MINUTES.] Papers ordered. On the Motion of Sir HENRY HARDINGE, a Copy of a Memorandum of September 10th, 1823, signed by the Duke of WELLINGTON, on the subject of the Deccan Prize Money.

Bills. Read a second time:—Disembodied Militia; Customs' Acts Repeal.—Read a third time:—Parish Vestries.—Committed:—Roman Catholic Marriages.

Petitions presented. By Colonel TORRENS, from Great and Little Bolton, for the Release of Robert Taylor, and Richard Carlile from Prison.—By Sir EDWARD CODRINGTON, from Gloucester, in favour of the Local Courts Bill.—By Mr. LYALL, from the Merchants and others connected with the Port of London, in favour of the Scavage and Package Bill.—By Sir HYDE PARKER, from Gosford (Wilts), against the Tithes Commutation Bill; from Long Wittenham, for the Amendment of the Sale of Beer Act.—By Mr. SINCLAIR, from Sutherland and Caithness, against the New System of Education (Ireland); and from Glasgow and Brechin, for Amending the Law of Patronage in Scotland.—By Sir HENRY PARNELL, from the Linen Weavers of several Places, for Better Wages; from Dundee, against the Bankrupts (Scotland) Bill.—By Colonel EVANS, from the Parish of St. Martin's-in-the-Fields, for Amending the Parish Vestries Act.—By Mr. CLAY, from several Metropolitan Parishes, for Poor Laws to Ireland; and by Sergeant PERRIN, from Moate and Tullamore, to the same effect.—By Mr. CHARLES CAVENDISH, from Lindfield, to be placed under Episcopal Jurisdiction.—By Lord GEORGE LENNOX, Mr. CHARLES CAVENDISH, and Mr. GASKELL, from several Places,—against the Tithes Commutation Bill.—By Lord GEORGE LENNOX, from Bosham, for an Inquiry into the State of the Fisheries of that Place.—By Mr. T. ATTWOOD, from Birmingham, against the Highways Bill.—By Sir OSWALD MOSELY, from Eccleshall, for Extending the Franchise from Stafford to that Town.—By Mr. HENRY STANLEY, from Preston, in favour of the Notaries Public Bill; from several Protestant Dissenting Congregations at Preston, for a Redress of their Grievances.—By Mr. JAMES OSWALD, from the Political Union, Leith, for Reduction of Taxation, Universal Suffrage, Vote by Ballot, and Annual Parliaments.—By Mr. GROTE, from Portsoken Ward, for the Repeal of the Assessed Taxes.

POST-OFFICE.] Mr. *Lyall* presented a Petition from the Merchants, Brokers, and others in the city of London engaged in the American trade, praying that an Act might be passed to regulate the Post-office revenue, and to leave parties at liberty to send their letters for foreign parts to the outports of this country, by whatever means they might think proper, without any control or interference on the part of the Postmaster-General. The petitioners had been in the habit of sending letters intended for America, since 1814—to Liverpool, for instance—by the most convenient conveyances, to be sent by the earliest despatch; that had gone on until the Postmaster-General had interfered and threatened prosecutions if it were longer persisted in, requiring that the letters should be transmitted through the Post-office. Every person in business must be aware how important it was for merchants to have their letters at the outports by given periods, as no one could stay the wind and tides. The Post-office could not insure the earliest and most certain despatch; and it might be most important that individuals should be at liberty to embrace the opportunity of sending off their letters early in the morning, instead of waiting till the evening. No doubt, by granting what the petitioners now asked for, a little postage revenue would be lost; but surely the postage of two or three thousand letters ought not to be put in competition with the interests of this great commercial country. He had had an interview with the petitioners, and with the Postmaster-General, and he found that his grace was disposed to render every facility to the petitioners in his power, but the petitioners were decidedly of opinion that he could not afford them the required facilities without an alteration being made in the law as it now stood.

Sir *James Graham* wished that some person more intimately connected with the Post-office than he was had been present to give an explanation. The hon. Gentleman had done justice to the noble Postmaster-General in saying he was desirous of affording every facility in his power to the transmission of letters by merchants here to their foreign correspondents; but there was nothing more unpleasant than that an executive officer should be charged with a discretionary power. It was very well known, that it was a great annoyance to be put to the trouble of answering letters—it was equally well known, that it was a great annoyance to be put to the trouble of paying the postage of them, and the anxiety shown to get franks pretty clearly proved how desirous persons were that their friends should not be put to the latter annoyance. On the other hand, it was the duty of the Postmaster-General to take care that all the revenue that ought fairly to come from the transmission of letters should be obtained. The mode of transmitting ship letters to the outports, adverted to by the hon. Member who had presented this petition, had gone on until a most glaring abuse had been detected. An irregular Post-office had in fact been established at a coffee-house, without the knowledge of the Postmaster-General, for the convenience of persons sending to their foreign correspondents; that post-office actually charged the inland postage upon the letters so transmitted; and even that practice might have gone on to this day, but it was found that the bag belonging to that post-office actually contained letters for persons merely residing at the outports, and thereby a direct fraud was committed on the revenue. Upon this discovery taking place, it was impossible to suffer the practice to be continued.

Mr. *Lyall* did not mean to bring any charge against the Postmaster-General, but quite the contrary. With respect to the abuse which had been mentioned by the right hon. Baronet, only one letter of the description alluded to had been discovered in the foreign bag; and that had found its way there without the cognizance of those who had the ostensible charge of making it up—the proprietors of the North and South American Coffee-house. However, as the trade of London was deeply concerned, he hoped the authorities of the Post-office would do every thing in their power to satisfy the merchants and the trade generally.

The Petition to lie on the Table.

METROPOLITAN POLICE.] Mr. *Cobbett* presented a Petition from the National Political Union of Newcastle-on-Tyne, against the system of Police adopted in the Metropolis. The Petition stated the abhorrence of the Petitioners at the conduct of Popay, who was a member of that novel and unconstitutional force called the New Police, the members of which were employed as spies, as instigators of mischief, ensnaring, betraying, and coercing the people. In those opinions, and in that description, he most cordially concurred, and the whole of it had been proved to be correct, by the evidence taken before the Committee, whose report was presented last night. He did not approve of that report, and so he told the rest of the Committee, and he told them also that he would say so in the House; it fell so far short of what he approved of, and of what he felt due to the petitioners, to the House, and the country, that he could never give his consent to it. He knew, when he first presented the petition, that not a Member of the House could have believed the facts stated in it were true. The petition divided itself into eighteen different allegations, every one of which had been distinctly substantiated. If the petitioners had gone further, if they had multiplied their allegations tenfold, they would not have exceeded the truth. The witnesses, without exception, proved themselves to be men of good character; and after the indulgence of a fortnight given to Government and the Commissioners, nothing could be brought forward to impeach their character or testimony. They had before them the most infamous spy ever employed by any government in the world, and he was proved to be guilty of the grossest prevarication and barefaced falsehood. The superintendent also had been found guilty of equal prevarication, which must be taken notice of by the House. They had traced the money into the hands of the spy, from the Secretary of State himself, and the only comfort they received was, that it had not come out of the parish funds, but from the Home-office, out of that secret service money which that House voted every year. They had fixed the same prevarication, though not to the same extent, on the Commissioners themselves; and he did not see how the House could refuse calling them to the bar. Government had been clearly convicted of encouraging and supporting a notorious system of espionage. The word was unknown to our language; happy would it be if the thing itself were unknown to our Government. He did not ascribe to his Majesty's Ministers any wish to establish such a system. He never had ascribed it to them. But something must be done. The House must either say, that the spy system was proper, and that Government could not go on without it, or they must put a stop to it at once and for ever. It might be supposed that he was prejudiced against the Police. But could any prejudice do away with the effect of the evidence taken before the Committee? When hon. Members read that evidence, they would be satisfied, either that the system must be put an end to, or that Government must become the detestation of the people. The whole of the allegations in the original petition had been proved, mainly by the confessions of the person principally implicated, and that of the superintendents; as well as by the acknowledgments of the Commissioners. It was at first declared that it was only the working classes whose proceedings spies were sent to observe. It was denied that they were sent to such assemblies as the Political Union at Saville House, or to any such meeting as one at which Mr. Hume would preside. But on the second examination reports were produced from spies who had attended at parochial meetings; and also at a meeting at which Mr. Hume had presided; and a statement was given of what had been said by that hon. Gentleman in the chair. The openness of this spy system was extraordinary. At the funeral of Mr. Hardy, the spy walked arm in arm in the procession with a member of the Political Union of the working classes. Arrived in the churchyard, he perched himself on a tomb-stone (fit place for such an occupant), while Mr. Thelwall pronounced the funeral oration. He then reported what he had witnessed to his employers. By accident this report was mixed up with the report of another spy; and in the latter this curious expression was attributed to Mr. Thelwall:—"Now Reform is come; where are your tyrants now? Where are your spies now?" Little did that gentleman know that there were at that moment at his elbow two spies; prepared to carry to the Secretary of State everything that fell from his lips. He (Mr. Cobbett) did not believe that the noble Lord was at all desirous of subjecting the people of England to such a system. He believed that what had occurred had not proceeded from any settled design. But it was for that House to take care that the system should be put an end to. He had, on a former occasion, observed to the Solicitor-General, that if the peace-officers carried swords, the people would carry knives. If the system was not put an end to, Government would become irretrievably the detestation of the people. The hon. Member then presented another petition from the town of Nottingham, to the same effect, declaring, that the petitioners saw with detestation and disgust, that the odious system of spies had recommenced. He was persuaded that the noble Lord would do what justice, humanity, and a wish to preserve the peace of the country required; but he should certainly be glad to receive some pledge on the subject.

Lord *William Lennox* thought the hon. member for Oldham had not acted fairly towards the House in making garbled and exaggerated statements of the evidence given on the Committee. With every respect for the hon. Member's talents, he could not think he could in five minutes give the pith of the evidence which it had taken the Committee a month to obtain. When the evidence was before the House, the House would judge of the conduct of the police. In the mean time, he would only say, that he disbelieved the statements of the hon. Gentleman, and that he had in another Committee, heard testimony to the good conduct of the police.

Mr. *Stewart Mackenzie* said, that a more exaggerated statement than that which had been made by the hon. member for Oldham he had never heard. What could the hon. Member mean, or expect, by thus prejudging the case? It was a most unfair attempt on his part to create an unfair impression within those walls, and a popular clamour out of doors. He hoped, however, that at least the House would not be carried away by any such misrepresentation.

Mr. *Thomas Kennedy* said, that at the time this report was agreed upon, some conversation took place respecting the propriety of raising a discussion upon its being brought up to the House; and he knew it was the decided opinion of the Committee that it would be most unfair and improper —not to say unusual—that when a Report was presented to the House, accompanied by voluminous evidence, any individual Member of the Committee should endeavour to impress on the minds of the House, and of the public, any opinion on the subject. The hon. member for Oldham certainly did not scruple to let the Committee know that he thought differently; but that hon. Gentleman stood alone. It appeared to him that the discussion of the subject at present was inconvenient, and might be productive of mischief. The best course would be to say nothing more about it. Before sitting down, however, he would observe, that the hon. member for Oldham had most irregularly taken away the police Reports which had been furnished to the Government, and by the Government to the Committee, without having any right so to do, and of which Reports he had kept possession for at least two days.

Mr. *Cobbett* observed, with respect to the Reports to which the hon. Gentleman alluded, that when it was found that the police spies had written reports, it was of course the duty of the Committee to require their production. Having been produced, they became evidence; and he was for laying them before the House. The Committee, however, determined otherwise. The day after they had been laid before the Committee, he inquired of the hon. Alderman who filled the Chair, (and who had exhibited the utmost diligence in his office), what had become of them? Who replied that they were at his house, and that he had read through a great part of them during the previous night. He (Mr. Cobbett) then said to the hon. Alderman, "Well, Wood, suppose I sit up, and read a good part of them to night." He got them, and did read a good part of them that night. On bringing them back to the Committee, he intended, if possible, to read them through, and remained in the room after the Committee had all dispersed, perusing those reports. Mr. Witham, the Clerk, probably preferring his (Mr. Cobbett's) room to his company, told him they would not be wanted again till Monday, and that he had better take them home with him, where he could read them more conveniently. He did so, and brought them back to the Committee on the Monday, having in the interim, the House might be sure, read every syllable, and having indexed them, and numbered them throughout. If the other Members of the Committee had not read them as attentively as he had, that was their fault.

Sir *Oswald Mosley* rose to order, and submitted that these observations could not be considered to fall within the hon. Gentleman's reply.

The *Speaker:* What the hon. member for Oldham is saying, does fall within the orders of the House. But even if it did not do so, the statements of the hon. Member are of very great importance. After the very candid avowal which the hon. member for Oldham has made, with reference both to himself and to another hon. Member, it is clear that he and that other hon. Member have been acting under the purest, although under the grossest misapprehension. No Member of a Select Committee has the slightest right to carry away any of the public documents which may have been furnished that Committee. The hon. member for Oldham says, that the Clerk of the Committee told him that he might take home the papers in question. If the hon. Member had applied to me, I should have told him that I had no power to authorise him to do so; and that I could never give my sanction to such a proceeding. When a Select Committee of this House is engaged in the investigation of any public question, and sends for information on the subject to any public officer, that public officer may frequently think it the best way to give entire the documents in which the required information is to be found. But if, when the entire documents are so committed into the hands of hon. Gentlemen, they are to be taken away to their houses, to be looked through, and sifted, and commented upon, one of two things must be the result—either that the public officers will in future stingily confine themselves to the production of the precise papers required by a Committee, or that, if they give the entire documents, it must be with the understanding that no Member of that Committee will use them for any purpose except that for which the Committee was appointed. After the candid avowal of the hon. member for Oldham, it is evident that both he and the hon. member for the city of London, to whom he has alluded, have proceeded on an entire misunderstanding in this matter; but such having been the case, the House will not perhaps think it inconvenient, on so important a subject, that I have taken the opportunity to make these remarks.

Petition laid on the Table.

MINISTERIAL PLAN FOR THE ABOLITION OF SLAVERY.] The Order of the Day for the third reading of the Slavery Abolition Bill was read, and the Bill read a third time.

Mr. Wilks rose to move the three following clauses:—

1. "That the statutes 7 and 8 Geo. 4th, c. 30 and 31, should be in force in the colonies, so far as they relate to the malicious setting fire to and demolition of any churches, chapels, and places for religious worship, and to the obtaining compensation from the hundred or district for damage so done.

2. "That apprenticed labourers should not be compellable to labour on Sundays, but should on Sundays have freedom for religious worship.

3. "That, to provide for the education and moral and religious instruction of the apprenticed labourers and their children, on liberal and comprehensive principles, his Majesty should be authorized to grant monies, not exceeding 25,000*l.* yearly, to be applied to those objects in the colonies, by such persons, in such manner, and subject to such regulations as his Majesty should by Order of Council direct; but that accounts should be laid yearly before Parliament of the amount and appropriation of every such grant."

On the question that the first clause be read a second time being put,

Mr. Secretary *Stanley* said, in objecting to the Motion, he hoped the hon. Member and the House would believe, that his opposition did not affect the principle involved, and that he fully acquiesced in every feeling of reprobation which had been expressed on the subject of the disgraceful attacks on the religious establishments of one of the colonies. But the object which the hon. Member had in view, however desirable in itself, was totally distinct from the object of the present Bill. Incidentally with the present Bill, to be sure, the general toleration principles which obtained in England were to be sanctioned in the colonies; but the hon. Member wished to apply a specific Act where circumstances did not warrant the interference. It should be recollected that the disgraceful outrages which were referred to had occurred, not in all, but in one colony only, and it would be throwing an imputation on the other colonies, in which religious toleration was not only professed but practised, to introduce the clause into this general Bill. It was, however, a subject which must early come under the consideration of the Local Assembly; and he assured the hon. Gentleman, that unless the Assembly listened to the Government, and gave such fair protection to places of worship, as they were entitled to demand—Ministers themselves would take such steps in the next Session as would be necessary fully to accomplish that purpose. He hoped, therefore, the hon. Gentleman would withdraw his Motion under such an assurance as that which, on the part of his Majesty's Ministers, he then gave.

Mr. *Fowell Buxton* said, that many instances of severe punishment inflicted on men merely for their religious opinions might be found in the colonies. The case of Henry Williams was one of that kind, and he was not aware that the man had in that case committed any other offence than that of professing his religious opinions. These oppressions were practised by men of high rank in society in the colonies. They were permitted, if not practised, by Magistrates, and he knew no instance in which they had been removed from their situations. Nor was he aware that justice had yet been done upon those who had attacked and demolished the meeting-houses. No language was strong enough to reprobate misconduct such as that he had noticed, and he hoped it would meet with its fitting punishment. He recommended the hon. Member, however, under present circumstances, to withdraw the Motion.

Mr. *Wilks* could not consent to do so.

Lord *Althorp* said, that the House could not, at the present time, do what the hon. Member required. There was no doubt that Parliament possessed the right of legislating in case of necessity for the colonies; but there was no man who would not be ready to say, that that right was one which ought to be exercised only in extreme cases, and when nothing else would effect the important objects of the Mother Country. The question was, whether there was such a cause for interference at the present moment? Another House of Assembly had just been summoned, and it would be premature for the Parliament to interfere till it was known what that House would do. He agreed with the hon. member for Weymouth, that no expressions were too strong to be applied to the conduct of those who had attacked and destroyed the Meeting Houses. If such conduct was still persevered in, it would be necessary to see what means could be adopted to punish it.

Lord *Sandon* said, that if the Local Legislatures did not agree to some measures for the protection of religious worship, he should not offer any obstacles to any measure that the Government might introduce on the subject.

Mr. *Wilks,* in the belief that the Government would introduce some measure, if it should be rendered necessary, would withdraw the present Motion.

First Clause withdrawn. The second was agreed to. The third was withdrawn.

Bill passed.

ROMAN CATHOLIC MARRIAGES.] On the Motion of Mr. Sergeant Perrin, the House resolved itself into Committee on the Roman Catholic Marriage Bill.

On the first clause being read,

Mr. *Shaw* objected to the Bill—not because it removed penalties which he allowed were severe in the extreme, and which he desired to see mitigated—but because it did not substitute any more mild and adequate ones in their stead. It would give impunity to the Roman Catholic priest who might solemnize a clandestine marriage, while it left the minister of the Established Church liable to punishment. The 6th Anne, ch. 16, for the protection of minors, made it highly penal, both in the clergy of the Established Church, and in Roman Catholic priests, to celebrate marriages in the cases there specified; but this Bill was to relieve the Roman Catholic priest, while it would allow the Established clergy to remain subject to the penalty: for the 12th George 1st extended it, in its utmost severity, to a degraded clergyman of the establishment—and, if he was not degraded, the canons and rules of his church were a sufficient control over him; but that statute, also, was only to be repealed so far as it regarded the Roman Catholic priest. He felt that the whole marriage law called loudly for revision, and he hoped that would soon be undertaken; but, in the mean time, he objected to the penalties being removed for performing clandestine marriages by Roman Catholic priests. He thought that the offence should be made a misdemeanor, as proposed by the Solicitor General for Ireland last year; otherwise he was persuaded that clandestine marriages would be greatly multiplied, and all the mischief and confusion arise to which they inevitably lead.

Mr. Sergeant *Perrin* said, that his hon. friend (Mr. Shaw) principally confined his objections to the 6th Anne—but this Bill left that Act as it stood at present. The clause in that Act subjected Protestant clergymen solemnising a clandestine marriage to degradation, and all other persons, and those assisting at same, to transportation. It was another clause that this respected.

Mr. *O'Connell* said, the objections of the hon. and learned Gentleman (Mr. Shaw) were quite inapplicable to the present stage of the Bill. His objections were to the principle of the Bill; and there was no one recital in it to which his observations applied. The hon. and learned Gentleman complained, that the Bill placed Protestant and Roman Catholic clergymen on a different footing. Its object certainly was to place them on precisely the same footing, and if any clause in it affected a Protestant, or a dissenting clergyman, let the hon. Gentleman point it out and amend it. The law, as it at present stood, was cruel in the extreme. How was a Roman Catholic priest to know who was a Roman Catholic, or who was not? And yet the law inflicted the penalty, not merely in the case of the person being a Protestant at the time, but if he happened to have been one twelve months before. In Galway a priest married a couple—the man was a soldier, and both parties declared that they were Roman Catholics. A serjeant of the regiment corroborated the man's statement, and it turned out afterwards that the man was a Protestant. As the case stood, the priest, nevertheless, was subject to the penalty.

Sir *Robert Inglis* said, that his great objection to the Bill as it stood was, that while it remitted all penalty with respect to the priest celebrating the marriage, it admitted that the marriage itself must be null. It inflicted the severest possible penalty on the parties contracting the marriage—it stamped the female as a concubine, and bastardized the children, while it inflicted no penalty whatsoever upon the clergyman. Now he would ask was that a Bill which the Committee was prepared to sanction? Should the Bill pass, it would give the greatest possible encouragement to seduction of the worst description—namely, that perpetrated under the form of marriage. A few years since a Protestant clergyman was tried at Maryborough (he believed) for improperly solemnizing a marriage. He was tried for the offence—was convicted, imprisoned, and deprived of his benefice. It was, therefore, not correct, as stated in the preamble of the Bill, that no clergyman but Roman Catholic clergymen were subject to penalties. In the case of Mr. Macarry, who had been prosecuted at Derry, the form of the certificate that he required to be signed by the parties was as follows:—"We, the undersigned, profess ourselves members of the Irish Roman Catholic Church in all its purity." If the parties signed this, a licensed seduction could be perpetrated by this Bill.

The *Solicitor General* said, that the country owed much to his hon. and learned friend (Mr. Perrin) for bringing forward a measure to repeal laws which were a disgrace to the Statute-book. Would the House believe, that as the law now stood, a Roman Catholic priest found guilty of marrying a Roman Catholic and a Protestant, might suffer the penalty of death. There was some doubt as to whether or no the Act of 1792 repealed that statute, but in his opinion it did not; and if any one were so ill advised as to frame an indictment upon it, a conviction might be had, and the penalty of death be incurred. Be this as it might, however, there was no doubt that another Act was in existence, which inflicted a penalty of 500*l.* upon the priest. It reflected little credit upon the Parliament which had passed these statutes, a Parliament which the hon. and learned member for Dublin was anxious to revive. He considered them as the last existing remnant of the infamous penal code, and the sooner they were expunged from the Statute-book the better. The hon. and learned Gentleman concluded by stating, that the Bill then before the Committee had his entire approbation.

Mr. *Shaw* was surprised, that the learned Solicitor General wasted the time of the Committee in so vehemently declaiming against penalties which he (Mr. Shaw) had not defended; on the contrary, he had last year supported the Bill which the Irish Solicitor General brought in, abolishing those penalties, but making the offence a misdemeanour. That was all he (Mr. Shaw) desired now. It was the Government and their supporters who had changed, not him, (Mr. Shaw). With respect to the 6th of Anne, he relied not only on his own opinion—for he had communicated on the subject with some of the highest legal authorities in Ireland, and they were of opinion, that the present Bill would repeal the provisions of that Act which were remedial, as well as those which were protective.

Dr. *Lushington* said, that if any proof were wanting of the necessity that existed of revising the law of marriage, it had been afforded in the course of the discussion that evening. When he found, that the validity of a marriage might depend upon the religion of one of the parties twenty-five years before, he owned he considered a case was made out to demand the interference of the Legislature. His objection to the present Bill was, that it did not go far enough. He knew of no statute inflicting penalties on clergymen of the established religion. [Mr. *Shaw:* The 6th of Anne.] If the hon. and learned Gentleman says, that the Bill would relieve the priest from a penalty, and leave the Protestant clergyman subject to one, let him bring up a clause in the Report to place them on an equality, and the hon. Member should have his support. The only extent to which this Bill went, was to relieve the priest from the penalty of 500*l*,. and from that penalty he ought to be relieved. He hoped another Session would not pass over their heads without taking the whole marriage law into consideration.

Mr. *O'Reilly* said, no exemption was required in favour of the Roman Catholic priest that was not equally shared by the Protestant clergyman.

Mr. *Shaw* said, he would adopt the suggestion of the hon. and learned Gentleman (Dr. Lushington) respecting the 6th of Anne, and, on the Report, bring up a clause declaring, that the Bill should not affect the fifth section of that Act. He would also, to save the time of the Committee, defer till the Report proposing his other clause, which should be in the words of the Solicitor General for Ireland last year, simply making the offence a misdemeanour in all cases.

Clauses agreed to.

The House resumed—the Report to be received.

INHABITED HOUSE DUTY.] Lord Althorp moved the Order of the Day for the House to resolve itself into a Committee of supply.

Mr. *Hume* would take that opportunity of bringing forward the Motion of which he had given notice. He could assure the House that, in offering himself to its notice at that moment he felt he was doing that which, no doubt, many Members would think unnecessary after the decisions to which the House had already come with respect to the House and Window-tax.

But he would admit, that he was not altogether in a situation in which he could wholly judge for himself. A large and highly respectable portion of his constituents felt, that they were placed by the course which Government had adopted in a situation, to justify them n again calling upon the House to re-consider some of its proceedings in which their interests had not been sufficiently attended to. The noble Lord (Lord Althorp) had in an early period of the Session admitted the severe pressure of the House and Window-tax, and expressed himself favourable to the repeal of the whole as soon as the financial circumstances of the country would permit, but that at present it was impossible to dispense with so large an amount of taxation. After that declaration of the noble Lord, and after the decisions to which the House had come on the subject, he (Mr. Hume) should not have felt it necessary to urge the matter again on its consideration if, as he had said, a great number of his constituents had not pressed upon him a subject which he fully admitted deserved the serious consideration of the House—namely, the great inequality, and therefore the great unfairness and injustice, with which the House-tax particularly fell upon them as compared with its pressure upon other parts of the community, not only in the metropolis, but in other parts of the kingdom. The noble Lord had at one time proposed to give relief as to the House-tax to the extent of 300,000*l.* of its amount; but some change was for a time made in his plan by the decision to which the House had come with respect to the Malt-tax. That decision was, however, subsequently set aside, in the fear that it would induce the necessity of imposing a Property-tax. The people, however, were in that state that they thought the whole of the tax on houses ought to be taken off. The whole amount was about 1,250,000*l.*, and of this the noble Lord consented to give up about 470,000*l.*; but the complaint against the tax was not so much as to its amount as to its mode of collection, and the unequal manner in which it was levied. That mode and that inequality were the constant sources of annoyance and irritation to a large majority of those who were called on to pay it; and it was on that ground that he would press it on the attention of the noble Lord. It would, he thought, be difficult to point out any tax in the whole range of taxation which was more unequal in its operation than that to which he now referred. He would state a few examples taken from returns lately placed on the table of the House, showing the comparative amount of rating on 100 of the highest rated houses of persons not engaged in trade, in London, in Middlesex, Brighton, Bath, Bristol, and in ten counties in England. From these it would appear that the pressure of this tax was most unequal, and he held that every tax which pressed unequally was unjust. From the returns to which he had referred, it appeared that the House of the Duke of Devonshire in the county of Derby, which everybody knew was a most splendid mansion, was rated at only 100*l.* a-year, and paid a House-duty of no more than 14*l.* 3*s.* 4*d.* Lord Scarsdale's house, Kedleston Hall, was rated at the same amount, and paid the same tax. The house of the Earl of Harrington was rated at only 60*l.* That of the Earl of Chesterfield paid little more. The Earl of Newburgh's was rated at only 60*l.*, while his (Mr. Hume's) own house, in Bryanston-square, which was only a very moderately sized house, was rated at 350*l.*; so that, in fact, he had to pay about five times as much House-duty as the owners of those splendid residences which he had named. In other parts of the country the disproportion in the rating was equally evident. The splendid residence of Sir Thomas Baring was rated at only 150*l.*; that of the Earl of Carnarvon at no more than 80*l.* The hon. Member went through a list of houses, in order to show the great inequality of the tax. London paid about half the amount of House-duty raised in all England. In 1792, the tax amounted to 192,000*l.*; in 1815, the sum raised had increased to 1,088,000*l.*; in 1820, it was 1,156,000*l.*; and last year it reached 1,296,000*l.*; these were the amounts levied in England. In Scotland, the tax amounted in 1792 only to 6,703*l.*; in 1815, it had risen to 73,500*l.*; in 1820, it was 86,700*l.*; and, 1832, 94,700*l.* The progressive increase of the tax would be perceived from this statement. He had further to complain that the tax was not equally imposed on different parts of the kingdom. The House-tax was laid on in Ireland in 1808, and taken off in 1817, and the Window-tax was remitted in that country in 1823-4. In addition to those indulgences, we were now going to pay tithes for Ireland. Was it to be supposed that the English people would be satisfied with such a course. The value of property in London, more especially House-property, had decreased up to the present time, in a greater ratio than in other parts of the country. The observation applied with particular force to the eastern part of London—for instance, the Tower Hamlets. This tax, which had been borne cheerfully in times of prosperity, now fell heavily upon the inhabitants in their depressed condition, and threatened to depopulate that part of the town. Under such circumstances, it was equally the duty and policy of Ministers to relax the burthens of the people. The pressure of the tax in question fell with peculiar weight on the Metropolitan districts. According to a paper which he held in his hand, and which contained statements that varied little, if at all, from those made by the right hon. Secretary to the Treasury a short time ago, it appeared, that Middlesex stood first in the amount of House and Window-duty paid in 1832. In that year, there was paid in Middlesex alone, on account of the taxes specified, 1,039,878*l.* Surrey came next—its payment being 192,000*l.* With the exception of York and Lancaster, the other English counties paid comparatively trifling sums. Thus it appeared that the question of relief from the tax related more especially to the metropolitan districts. In no other place could relief be more required. The retail shops, that had hitherto paid the greater proportion of the rates, had gradually been deprived of their custom by the establishment of immense houses, which carried on business to the extent of some millions in the year. The profits of retail dealers were lessened, and the business formerly divided among a considerable number was now confined to a few. Under such circumstances, the pressure of a tax like the present was most severely felt. A question had arisen as to the party who paid the tax; some maintaining that it was paid by the landlord, others that the burthen was borne by the tenant. The question did not appear to him very material. He thought, that at the present moment, the tax fell upon the landlord: when houses were in demand, undoubtedly it fell upon the tenant. He considered the impost to operate as a Property-tax of 14½ per cent, upon houses, from which other species of property were exempt. Whether the tax fell upon landlord or tenant, or was divided between both, relief was loudly demanded by considerations of justice and policy. The number of inhabited houses in Great Britain was 2,326,000. of which 369,163 were rated to the House-tax. Farm-houses, to a very considerable number, were exempt. He objected to the exemption, and contended, that if this were a Property-tax, it ought to be general. But the tax proceeded on no intelligible principle—it was objectionable as being unequally levied and partially applied. Taking the general house rental at 11,000,000*l.*, it would be found that London, Middlesex, and Surrey, paid House-tax upon 6,170,000*l.*, considerably more than half of the entire rental. The alterations about to be made in the trade with India, taken in connexion with other commercial changes, must tend to impoverish the metropolis, and upon that ground, if not on any other, the inhabitants were entitled to every indulgence. The tax of which he complained was not only partial and unequal, but, in the highest degree, vexatious. No other tax was levied under such aggravating circumstances. The surveyors or assessors had an interest in raising the assessment as high as possible, and they were so situated as scarcely to be exempt from the influence of the wealthy in their respective districts. It followed as a matter of course that the wealthy were favoured. In Middlesex alone 3,637*l.* was paid to the surveyors for surcharges in 1830; in 1826, the sum paid on the same account was 3,498*l.* An aggregate sum of 27,339*l.* was paid on account of surcharges in 1830 as a premium to men acting in the capacity of spies. Every surveyor who could make out a surcharge of 100*l.* obtained 20*l.* for himself. He must call it an absurd tax, as long as the Duke of Devonshire's splendid palace at Chatsworth was valued at 100*l.*, while a small shop in the Strand was rated at twice the amount. The amount of surcharges in eight years, from 1820 to 1829, was 677,000*l.* (there being no return for 1821 or 1822); which gave an average of 85,000*l.* for each year. Since the passing of the Reform Bill he had reason to believe, that the average of surcharge was double the former amount. 2,379 persons were surcharged in London and Middlesex in the year ending April, 1832. Many persons (particularly professional men) paid the surcharges, however unjust, rather than attend for the purpose of resisting them. Such proceedings must give rise to great dissatisfaction; and it was unwise to continue a tax which excited such strong objections among the community at large. To insist upon the tax under such circumstances, was running the risk of losing the whole of it—as in the case of tithes in Ireland. In some parishes resolutions had been proposed, pledging the inhabitants not to pay Assessed Taxes; and he called upon the noble Lord (Althorp) to reflect upon this, and decline to persist in enforcing an unpopular tax. The Revenue would not lose the whole amount of the tax, should it be remitted, the deficiency being made up in part, if not altogether, by an increase in other branches of the Revenue. Such had been the result in former cases of reduction of taxation, and, no doubt, the same thing would happen again if the House-duty were taken off. The reduction for which he asked would not occasion a diminution of more than 500,000*l.* in the Revenue; he put it to the noble Lord, whether it was worth his while to contend against the united feelings of the inhabitants of the Metropolis for the sake of a few hundred thousand pounds, particularly at a time when the Government had given millions to the colonies and Ireland. It might be said, that this was a late period of the Session to propose reductions; but was it too late to practise economy? It was never too late to vote away money, as appeared by the Bill granting 20,000,000*l.* to the planters, which had only just left the House. The House had voted 89,760 men for the army, although the number in 1822 was only 68,802; 12,237 for the artillery (one-third of which force might be dispensed with); and 28,759 for the navy, the number in 1822 being 21,000. In these three items alone the noble Lord, might without difficulty, make reductions sufficient to cover the proposed remission of taxation. The circumstances connected with the state of Turkey, and Holland, and Belgium, which might have justified us in maintaining a large fleet and army, had now passed away; and the time was favourable for reduction. The people expected relief from taxation, though he acknowledged that, from the period of the accession to office of the present Ministers up to January last, upwards of 2,500,000*l.* had been taken off. What might have been done since January he could not exactly say, but doubted not that the amount of reduction would appear considerable. There were, however, yet a great number of items of expense, in which reductions might be made so as to admit of remissions of taxation. Government might deal with pensions and sinecures on a much more extensive scale. The expenses of Courts of Justice (987,476*l.* per annum), which were incurred without administering equal and effectual justice to the great mass of the community, might be considerably lessened. He might here observe, that he did not object so much to the expense of our judicial system, as to its inequality and inefficiency. He regretted that a Bill recently proposed, which would have carried justice to every man's door, had not become the law. The expense of the diplomatic service for 1832 was 330,000*l.*, and, of that, not less than 150,000*l.* might be dispensed with. The miscellaneous estimates came to 1,800,000*l.*, in which considerable reductions might be made. Assuming that the Chancellor of the Exchequer would agree to the proposed remission of the House-duty, the noble Lord would not require the money till the end of next year, as the Assessed-taxes of the year were always in arrear: under these circumstances, there would be plenty of time to provide for the deficiency by reductions in the next Session of Parliament. He asked the noble Lord to take off the tax prospectively from the 5th of October. The noble Lord had stated, that the Revenue was in an improving state, and that the improvement was likely to continue. In this he agreed with the noble Lord; being satisfied, if the people were employed and fairly remunerated, as he trusted they would be, that the Revenue must go on increasing; and he, therefore, apprehended no danger of a deficiency in the Exchequer from the adoption of his proposition. He must again remind the noble Lord of the objectionable nature of the tax, the expectations entertained that it would be remitted, and the disappointment which must result from its maintenance. He meant to propose, that a Committee of the whole House should be formed to consider the Assessed-taxes Act, with a view to a Resolution declaratory of an intention to repeal the House-duty. That would be all that would be at present required to satisfy the people. He was convinced that the noble Lord could adopt the proposition without danger to the Exchequer, without impairing the efficiency of the public service, or risking a violation of the public faith; and he was also convinced, that the noble Lord could not oppose the proposition without some danger. The hon. Member moved, accordingly, that the House resolve itself into a Committee of the whole House.

Colonel *Evans* seconded the Motion; and observed, that it might be disputed whether the House-duty was a Property-tax or not, but it could not be denied that it was an unequal tax on industry. As an unjust and an unequal Property-tax, which he maintained it to be, no less than it was a war-tax, he opposed its continuance. If a Property-tax were established, it should embrace all the fixed property of the country, land as well as houses. Some contended that a Property-tax ought to extend to capital in the public funds, while others denied that proposition. But, however that might be, there could be no doubt that a Property-tax ought to be discontinued in reference to houses, or else such a tax ought to be applied to land. He pressed upon the noble Lord that, if the tax must be continued, at least it was not too late to correct the gross irregularities and inequalities that existed in its application. He had heard of an instance of two houses of business at Liverpool being rated at 350*l.* or 380*l.* a-year, while the splendid mansions of noblemen in the immediate neighbourhood were rated considerably lower. The instances of unequal and disproportionate assessment were so well known and so numerous that it would be tedious and unnecessary to dwell upon them. He would mention the case of a small house, next to Northumberland-house, which occupied a space of fourteen feet by twelve, and paid a rate that, computed on the ground it covered, amounted to 7*s.* a-foot, whilst Northumberland-house was only rated at 4*d.* a-foot. It was true, that by the Bill passed last night partially relaxing the Assessed-taxes, the rate upon the small house in question would be reduced to 3*s.* 6*d.* a-foot. Still the inequality between it and Northumberland-house would be immense. In case the Motion of his hon. friend should be negatived, he would move two Resolutions—the one to the effect that all taxes should be justly and equally applied; and the second that the House-duty in particular, and the Window-duty in a lesser degree, as at present assessed, were levied and recovered from individuals, towns, and districts, in a most grievous, unequal, unjust, and oppressive manner.

Lord *Althorp* said, that he did not see how it was possible to introduce anything of novelty into a discussion of this kind, as this was the fourth time that the question had been under the consideration of the House during the present Session. The first discussion was upon a general Motion brought forward by the hon. member for Worcester; there was another discussion on it on a Motion brought forward by one of the honorable members for the city of London; there was a third discussion of it upon a Motion introduced by the hon. member for Marylebone; and now it was for the fourth time brought under discussion on the Motion of the hon. member for Middlesex. Seeing, therefore, that the question had been so repeatedly discussed during the present Session, he did not think that much novelty of argument was to be anticipated on it, or that the House could expect much novelty in what he (Lord Althorp) had to say on the subject. His hon. friend had said, that this tax had formed the subject of very general complaint. He did not deny that,—especially the surcharges connected with it; and yet a great reduction had been made in the amount of the tax from 1822 to 1825. During that time there had been the extraordinary number of 643,240 houses left out of the assessment; so that, in point of fact, the number of houses subject to the tax in 1822 was 999,880, and in 1825 that number was reduced to 348,855; so considerable had been the reduction which had been made in the number of houses taxed. He was ready to admit that one effect of this tax was—that it pressed heavier upon the metropolis than it did upon the country districts, and for this, amongst other reasons, that being a tax merely upon the rental of the house, without reference to the land attached to it, the rental of houses in Town was much higher in proportion (and the tax of course proportionally heavier) than that of similar houses in the country. He was also ready to allow, that there were circumstances at present in the existing posture of affairs that might render the metropolitan districts less prosperous, and therefore less able to bear the burthen of this tax, than they had heretofore been. There might be a tendency in some of the new measures that were in progress—in that especially which regarded the East-India Company—to diminish for a time the prosperity of at least one portion of those districts; and they might therefore, on that account, seek for the reduction of this tax, which pressed peculiarly upon them. But it should not be forgotten, that with regard to one impost greater relief had been within the last few years afforded to the metropolis than to other parts of the country—he alluded to the reduction of the Coal-tax, a very large proportion of which was levied upon the metropolitan districts. From that tax they had been relieved. His hon friend seemed to think, that the same objection applied to a House-tax as to a Property tax, but his hon. friend was mistaken in that opinion. The objection to a Property tax—the objection on the ground of which that tax was abolished in 1816—was of quite a different description, and could not be applied at all to the House-tax. His hon. friend had complained of the severe nature of the revenue laws, with respect to the collection of this tax. He (Lord Althorp) was afraid that whatever system of taxation should be adopted, it would be necessary to have severe revenue laws in existence, in order to enforce the payment of such taxes when due. Mere justice to those who willingly paid their proportion of the public taxes required the strict enforcement of their payment from all. Could any laws be more severe, and necessarily severe, than the excise laws? He would admit, that the system of surcharges was one that had caused great vexation, and he would only say, that, as far as he could, he wished to discourage the system of vexatious surcharges. The House, however, must be aware that it was almost impossible for a person filling the situation he did to throw such a discouragement upon the officers of the revenue as might tend to render them remiss in the discharge of their duties. He was ready to admit that, under the present system of surcharges, the pay of the surveyors was made too much to depend upon the amount of the surcharges. He hoped, that an arrangement would be made with regard to the collection of the Assessed Taxes, so that surveyors would be made to depend more upon a fixed annual income for their remuneration than upon the amount of surcharges. This tax could not be defended as a good thing in itself—it could only be defended as necessary to keep up the amount of the revenue required to meet the expenditure of the country. His hon. friend had quoted the estimate which he (Lord Althorp) had made in bringing forward the budget, of the probable amount of surplus revenue at the end of the year, as if it was to be assumed as the actual amount that would be found to exist then. The estimate of surplus revenue which he (Lord Althorp) had then made was, he believed, the lowest that had ever been made by any person filling the situation that he did as an estimate for the future year; and since it had been made the abolition of a portion of the House-tax had considerably diminished the amount of surplus which he had calculated upon. In making his financial statement, he had calculated the amount to be deducted from the revenue in consequence of the partial abolition of the House-tax, to which he had alluded, at 100,000*l.*; but, according to the statement of his hon. friend, which he did not believe to be exaggerated, the amount of reduction which would be effected by the Bill passed last night would approach to nearly 500,000*l.* The surplus revenue therefore at the end of the year would be *pro tanto* smaller than he had estimated it at. As far as the revenue had gone at present, he was happy to say, that it had gone on fairly and well. With the reduction of taxes that had taken place, it could not be expected to go on as well as it had last year; but it had, however, gone on fairly and well; and he was pretty confident that the surplus would, at the end of the year, come up to the amount at which he had calculated it. He did not think, however, that it could possibly be safe at the present time to calculate so precisely the amount of revenue that would then accrue, as to come to the determination that a particular tax should cease in the course of next year. His hon. friend had gone into the question of the supplies that had been recently voted by the House, and he had argued, that as considerable reductions might be made in those supplies next year, this tax could then be spared. Looking at the general state of affairs at present, he certainly had sanguine hopes that the country would be enabled to make considerable reductions in its military establishments in the course of next year. He hoped, also, that in pursuance of measures which would be brought forward, it would be in his power to make some considerable reductions in the expenses attendant upon the collection of the revenue; and he would only add, that the constant efforts of the Government would be directed to effect every reduction that possibly could be effected in every other branch of the public expenditure. But, notwithstanding that, he did not think that at the present time it would be safe to calculate precisely upon what the amount of reduction would be before they knew what reductions could really be made. He therefore trusted, that the House would not assent to the proposition which his hon. friend had brought forward at the present time. His hon. friend said, that the plan contained in the Bill which was passed last night was one that it would be extremely difficult to carry into effect. He could assure his hon. friend, that there would not be the slightest difficulty in carrying it into effect, as the difficulties specified in it were such as were well known to all collectors of taxes. He had, upon three or four occasions, stated the principles upon which he thought the taxation of the country ought to be levied. In the statement which he then made, he said, that he would prefer a direct tax of this nature to a tax that would press upon the industry of the manufactures of the country; considering that the pressure and operation of the former were by no means so injurious as that of the latter burthen to the general interests. He had then also stated that there was one ground on which the Government ought to look to a tax, in order to consider whether it should be reduced—namely, as to the question of its popularity or unpopularity. With regard to the question of popularity however, he feared that no taxes would be found to be popular, but he was ready to admit, that the unpopularity of this particular tax was excessive and extreme at the present moment. He was fairly ready to say, therefore, that though, if left to his own opinion, and acting upon the financial principles which he entertained, he would not select this tax as one of the first that he would propose to reduce; yet, looking at the views of the country on the subject, he did think that it would be the duty of Government, whenever it should be enabled to do so, to reduce this tax, and that whenever its place could be supplied, either by some different arrangement of the Assessed Taxes, or by the substitution of some other tax, the tax upon houses ought to be reduced. He believed that he had said more now than he had ever before at any time stated on this subject. On the ground, then, that he had mentioned, not on account of the nature of the tax, but considering the unpopularity of it, and that the extreme unpopularity of any tax was a reason for the Government looking to it, for the purpose of reducing it, he was prepared to go as far as he had just stated. But he was not prepared to say at the present moment that a certain reduction should hereafter take place, so as to sink the revenue below the expenditure, before he knew what the revenue would be, and before other taxes could be supplied to maintain it above the expenditure. He must therefore oppose the Motion of his hon. friend.

Mr. Alderman *Wood*, as a proof of the inequality of the tax, referred to the Bank of England, which, while it charged the public 40,000*l.* a-year as its rental, was only rated under this tax at a rental of 5,000*l.* a-year. It was a tax the injurious effects of which had been felt throughout the metropolis. One of the effects of it in the City of London was, that houses were now let for two-thirds less than they were seven years ago; and in the great thoroughfares of Fleet-street and Cheapside every fourth house was at present unlet. If the Motion went to a division, he would certainly vote for it.

Sir *Samuel Whalley* was glad to hear, that the time would shortly come when this tax would be abolished. He did not know what new circumstances had arisen, as regarded the revenue of the country, since the noble Lord had resisted his (Sir Samuel Whalley's) Motion this Session for the abolition of this tax, to induce the noble Lord now to promise its reduction. The Government had since that time given 20,000,000*l.* to the West-India proprietors, and 1,000,000*l.* to the people who had resisted tithes in Ireland [" *No.*"]. He was aware, that at present it was a loan, but the Treasury had the knack of converting a loan into a grant. He was glad to find that the Government was at length obliged to yield to the unpopularity of this tax. He, for one, would wish to see it abolished immediately. He would vote for the Motion.

Mr. *Hume* said, he wished to know whether he understood the noble Lord to state, that considering the extreme unpopularity of this tax, he thought it was one that the Government should look to as the first to be reduced in the next Session of Parliament, its place to be supplied either by a corresponding reduction of expenditure, or by the substitution of some other tax? [Lord Althorp was understood to answer affirmatively.] Under such circumstances, anxious as he might be to press his Motion, he felt it his duty to withdraw it.

Motion withdrawn.

Colonel Evans moved the second Resolution of which he had given notice declaratory of the injustice and inequality of the House and Window-tax.

Lord *Althorp* said, he was not prepared to agree to such a Motion at present, as, if it were carried, it would be absolutely necessary to go further than it did, and abolish the tax at once.

Mr. Alderman *Thompson* begged to say

a word in explanation as to what had been stated by his hon. friend, the member for the City of London, with respect to the Bank of England. The Bank of England paid to this tax as much as it was liable to pay by law, for though the value of the rental of the building was calculated at 40,000*l.* per annum, yet there were only four or five inhabited houses which were occupied by officers of the establishment, and which were detached from the building itself. He fully concurred in thinking that the manner in which these taxes were levied was extremely partial. He could show that individuals employed in Government situations had perverted their powers in respect to these taxes, and lent themselves to an interference with the freedom of election. On the ground alone of the tax being used for such a purpose, he was of opinion it ought to be repealed.

The Resolution negatived.

The House resolved itself into a Committee of

SUPPLY.] Mr. Spring Rice moved that a sum not exceeding 40,000*l.* be granted to his Majesty for making good the charge for civil contingencies.

The vote was agreed to, and the House resumed.

REGISTRY OF VESSELS BILL.] Mr. Poulett Thomson moved the third reading of the Registry of Vessels Bill.

Bill read a third time.

On the Motion that it do pass,

Mr. *Ruthven* objected to the renewal of a Bill in its present form, from which so many injurious effects had arisen. The consequence of the former measure, which it was sought to renew, was, that vessels were constructed in such a way as to be enabled to carry more cargo than their admeasured tonnage, and therefore, inferior vessels were built. The effect of this Act was, that British ships were so constructed, that they could no more compete with American-built ships than could a cart-horse with a race-horse, and yet this was not to be attributed to any want of skill in the shipbuilders of this country. He was of opinion, that a Committee ought to have been appointed before the Bill had been proceeded with, particularly as the Commissioners who had been appointed to inquire into the subject had as yet delayed making any Report on which the House could legislate. In the mean time he was of opinion, that the measurement of vessels should be taken in such a way as accurately to give the cubic amount of tonnage. The hon. Member moved the insertion of a clause to that effect.

On the Question that the clause be read a second time,

Mr. *George Young* said, that it was from no indifference to the subject that he had not anticipated the hon. Member in this Motion. As a shipowner, he practically knew the evils of the present system, but he had understood from those who were better acquainted than he was with the business of that House, that it would be highly inconvenient to propose the introduction of a clause like the present in a Consolidation Bill. He had for that reason abstained from attempting it. He recommended the hon. Member near him, on the same ground to withdraw the Motion at this moment, and he might advantageously bring it forward next Session, and should then have his (Mr. Young's) cordial support.

Mr. *Poulett Thomson* had stated in strong terms his opinion on the present system of admeasurement of vessels, and his conviction, that that system required alteration. Commissioners had been appointed to inquire into the subject, and their Report was not yet made, but it would be before the next Session, and then they should be able most conveniently to revise the law on this matter. He must moreover observe, that the House had already agreed to this Bill, on the express understanding, that it was to be confined to consolidate the laws, and not to alter them. He therefore could not consent to the Motion.

Clause negatived, and Bill passed.

CUSTOMS—DUTY ON CURRANTS.] On the Question, that the Customs' Duties Bill be read a third time,

Mr. *Grote*, after commenting on the enormous duty upon currants, moved that the duty of 44*s.* 4*d.* per cwt., established by the Bill, should be reduced to 28*s.* per cwt.

Mr. *Poulett Thomson* begged his hon. friend to withdraw his Motion, because the revenue could not spare the reduction. He should himself be willing to propose the reduction if the duty could be spared, and he should be happy next year to take the whole of the class of fruits into his consideration, with a view to reduce the duties on them all.

Mr. *Matthias Attwood* recommended, after what the right hon. Gentleman had said, the hon. Member for the City of London to withdraw his Motion.

Mr. *Hume* contended, that on account of the increased consumption which would take place in consequence of the reduction of duty, the revenue would lose nothing by that proceeding. He would almost venture to give an undertaking to Government to that effect.

Mr. *Hawes* approved of a reduction in the duty on currants, and contended, that such a reduction would have a beneficial effect on the shipping-interest of the country.

Lord Sandon supported the Amendment.

Lord *Althorp* said, that he did not feel himself justified, with the small surplus revenue which existed, in agreeing to the Motion. While he admitted the onerous nature of the tax, he yet thought that so great an increase in the consumption of the article would not ensue from the reduction of the duty as was anticipated by the hon. member for Middlesex.

Mr. *Ewart* supported the Amendment. He conceived it to be the duty of every Member towards his constituents to press for a reduction of the tax on all articles of consumption.

Mr. Grote replied, after which the House divided on the Amendment—Ayes 52; Noes 67: Majority 15.

List of the AYES.

Aglionby, H. A.
Attwood, M.
Bewes, T.
Blamire, W
Brotherton, J.
Buller, C.
Burrell, Sir Charles
Chapman, A.
Collier, J.
Divett, Edward
Evans, Colonel
Ewart, William
Faithful, George
Fitzroy, Lord C.
Gaskell, D.
Gisborne, T.
Halcombe, John
Harvey, D. W.
Hawkins, J. H.
Hawes, B.
Hughes, Hughes
Hutt, W.
James, Wm.
Lowther, Lord
Lyall, George
Moreton, Hn. A. H.
Parker, J.
Parrott, J.
Penlease, J. J.
Plumptre, J. P.
Potter, R.
Poulter, J.
Sandon, Lord
Shawe, R. N.
Strutt, E.
Thompson, Ald.
Tooke, William
Torrens, Colonel
Whitmore, W.
Williams, Col.
Wood, Ald.
Young, G. F.

SCOTLAND.

Sinclair, George
Wallace, Robt.

IRELAND.

Copeland, Ald.
Mullins, F. W.
O'Connell, Morgan
O'Connell, J.
O'Dwyer, A. C.
Ruthven, E. S.
Ruthven, E.
Sullivan, R.
Wallace, T.

TELLERS.

Grote, G.
Hume, J.

Mr. *Ruthven* moved that the duty of 1*l.* per cwt. upon the importation of clover, of lucerne, of trefoil, and all sorts of grass seed, be reduced to 1*s.* per cwt.

Mr. *Poulett Thomson* opposed the Motion on the ground that it would occasion great loss to the revenue.

Mr. *Baring* thought the high duty on seeds prejudicial to agriculture, he would support the Motion.

Lord *Althorp* said, that he felt himself bound to resist this Motion for the same reasons as he had opposed the last.

Colonel *Williams* supported the Motion because it would be for the advantage of all those who sowed these seeds.

Amendment negatived; Bill read a third time and passed.

LONDON SCAVAGE AND PACKAGE BILL.] Mr. Poulett Thomson moved the Order of the Day for the House resolving itself into a Committee on the London Scavage and Package Bill.

Mr. *George F. Young* objected to going into the Committee at that late hour (past one), and without explanation of the subject of the Bill.

Mr. *Poulett Thomson* said, he had explained the subject of the Bill on introducing it.

Mr. *George F. Young* said, he should move the adjournment of the House.

Mr. *Baring* was not prepared to vote for the large sum of money this Bill proposed to give without first looking into the title of the City of London to these duties, and ascertaining the amount the House would be justified in bestowing.

Mr. *Poulett Thomson* said, he would explain the object of the Bill. It was twofold; to relieve the trade of the port of London and the country generally from a heavy imposition, and to take away a considerable charge upon the revenue of the country. These dues were of ancient standing; they had been given by charter of Charles 2nd., confirmed by Acts of Parliament, and were the undoubted property of the City of London. It had happened that the right of the city had been disputed; an action was tried, and the result was, that the right was fully confirmed, and the obligation of payment on the merchant was distinctly recognized. So much for the right: then as to the dues themselves. They were, in the first instance, insignificant, but at the close of the last war they had become onerous, and they acted as an embarrassment on trade as well as a burthen. It was no small inconvenience that the trade of London should be so embarrassed; but there was another point of great importance. Mr. Bates, in his evidence before the Committee on trade, had stated that he knew of upwards of a hundred cargoes of sugar and other articles which would have been brought to London and bonded here if this tax had not existed. He knew of similar instances; they were of daily occurrence. The repeal of these dues would have no prejudicial effect on the reciprocity system, and if it had any effect on British shipping, it would be a beneficial one; for foreign cargoes, when they were bonded here would be carried to the Continent, for which they were intended, in British shipping. With respect to the revenue part of the subject, the average annual amount of these dues was 14,836*l.* of which the amount paid by Government in the last three years was 11,000*l.* yearly. Suppose the Legislature gave for them 162,000*l.* there would then be an interest paid of 4,000*l.* a-year; and, allowing for a sinking fund, there would be an annual saving of 3,000*l.* or 4,000*l.* a-year.

Mr. *George F. Young* observed, that this explanation should have been given on the second reading. It was, however, full of fallacies, and he should persist in moving the adjournment of the House.

The House divided on the Question of adjournment—Ayes 6; Noes 69: Majority 63.

Mr. *Baring* thought, that the House ought to be made fully aware that the claims of the city for these dues were strictly just before they agreed to vote away 160,000*l.* of the public money, and for that purpose he would, therefore, move that the Bill be referred to a Select Committee.

Mr. *Poulett Thomson* would have no objection to that Motion if he were assured that the Committee would not delay the Bill. He, however, stated, that the course which had been adopted with the Bill was perfectly in accordance with the ordinary practice of the House in cases of a similar description, particularly in the case of the repeal of the butlerage and prizeage dues by a Customs' Bill relating to the Duchy of Lancaster. He thought that, under the course proposed by the hon. Member, if the Committee entered into a full inquiry into the Charter of the City of London, with a view to ascertaining their legal right and title to the dues, so much time would necessarily be consumed as in effect to throw over the Bill until the next Session. He would, therefore, propose that the evidence to be offered to the Committee, if that course should be adopted should consist of the documents upon which the bargain had originally been entered into by the Government, which would be found to contain all that would be requisite for the purpose of such a Committee.

Mr. *Halcombe* supported the Motion for the Select Committee on the ground that the inquiry into the title of the City in the mode referred to was highly necessary.

Bill referred to a Select Committee.

HOUSE OF LORDS,

Thursday, August 8, 1831.

MINUTES.] Petitions presented. By Lord SUFFIELD, from a Protestant Dissenting Congregation at Oxford, for Redress of their Grievances.—By Lord AUCKLAND, from the Physicians of London, for an Inquiry into the State of the Profession, and from Plymouth, for a Modification of the Sale of Beer Act.

EAST-INDIA COMPANY'S CHARTER.] The Marquess of Lansdown moved the Order of the Day for receiving the Report of the East-India Company's Charter Bill.

The Duke of *Wellington* was of opinion, that, as some further Amendments had been made in the Bill, time should be given to the Court of Directors and Proprietors for their consideration. In the Resolution of the Court of Directors of the 7th of June last, which was subsequently approved of by the proprietors, the Company claimed the right of being made acquainted with every portion of any measure that might be introduced, before they consented to abandon, or place in abeyance, their commercial Charter. When the Bill was in another place, the Company wished to be heard by Counsel against parts of it, but their prayer was refused, on the ground that all the provisions of the Bill had been sufficiently discussed. That argument, however, could not apply in this case, because they could not be acquainted with the Amendments which had been made in their Lordships' House. Now, in order that the Company should have an opportunity of considering the whole measure before it finally passed, he thought that it would be proper to postpone the receiving of the Report until to-morrow, and the third reading could be fixed for an early day next week.

The Marquess of *Lansdown* would acquiesce in the proposition of the noble Duke. The Report might now be received *pro formâ;* and as the Amendments did not affect the principle of the Bill, he hoped the delay would not extend beyond two or three days.

The Report received *pro formâ*; to be taken into further consideration.

HOUSE OF COMMONS,

Thursday, August 8, 1833.

MINUTES.] Papers ordered. On the Motion of Mr. W. E. GLADSTONE, Copies of Papers from the Board of Education (Ireland), relative to the New System.—On the Motion of Sir HARRY VERNEY, the Number of Convicts conveyed from one Place to another, and the Expense incurred thereby, during the year ending Michaelmas 1832; also the Number of Days each Session of the Peace lasted in the Counties of England and Wales in the same year.—On the Motion of Mr. VERNON SMITH, Returns from each of the Places where, by the provisions of the Act 9th George 4th, cap. 60, Returns are required to be made of Sales of Corn, of the Number of Quarters returned in each week during the year, beginning 1st July, 1832, and ending 1st July, 1833; distinguishing the quantities, &c.—On the Motion of Mr. SULLIVAN, the Number of Quarters of Malt charged with Duty in Ireland, in the years ending 5th October, 1831, 1832, and to 5th August, 1833; also the Number of Quarters of Malt Imported into Ireland: the Quantity of Malt used by Distillers and Brewers respectively in Ireland, and the Quantity exported in the years ending 5th October, 1831 and 1832: like Returns for England and Scotland: also the Number and Names of the Police Constables in the County, and County of the City of Kilkenny, who, within the last twelve Months, have been dismissed, disrated, or fined, for Misconduct, &c.—On the Motion of Mr. TOOKE, the Names of Commissioners appointed under the Act 11th George 4th, and 1st William 4th, cap. 58, for Regulating the Receipt and future Appropriation of Fees and Emoluments receivable by Officers of the Superior Courts of Common Law.—On the Motion of Mr. HUGHES HUGHES, the Number of Electors Registered for the City of Oxford.

Bills. Read a first time:—Stafford Borough Disfranchisement.—Committed:—China Trade.

Petitions presented. By Mr. VERNON SMITH, and Mr. FOWELL BUXTON, from several Places, for the Abolition of Slavery.—By Mr. VERNON SMITH, from the Surgeons of the Poor at Southam, for a Committee to Inquire into the Conduct of the Overseers respecting them; from the Dissenters of Bovey Tracey, for Relief with regard to Marriages, Registration, and Church Rates.—By Lord JOHN RUSSELL, from Wolverhampton and Sampford Spiney, against the Tithes Commutation Bill.

GRAND JURIES (IRELAND) BILL.] On the Motion of Lord Duncannon, the House resolved itself into Committee on the Grand Juries (Ireland) Bill. The Committee resumed the consideration of the 59th Clause, which in order to escape opposition, as well as the 60th, 61st, and 62nd, Clauses were withdrawn. The Clauses from 63rd to 73rd, were agreed to, with Amendments.

On Clause 74th, which authorizes Grand Juries to make presentments, being read,

Mr. *O'Connell* suggested, that it should not be at the discretion of the Grand Jury to make presentments for the salaries of the medical gentlemen, &c., and that it should be compulsory on them to present for these salaries and allowances, inasmuch as the discretionary power led to many very unfair proceedings. Instances were not unfrequent where Grand Juries, from particular motives, had refused in cases where duties had been fully and fairly performed. Strong political feelings arising out of an election had produced such unhappy consequences. The power ought therefore to be withdrawn.

Mr. *O'Dwyer* moved, an Amendment to the effect, that it shall not be lawful for a Grand Jury to withhold a presentment for the payment of the salary of a physician at a dispensary.

The House divided on the Clause as it stood: Ayes 41; Noes 12—Majority 29.

The Clause adopted, as were the Clauses 75, 76, 77, 79, 80, 81, and 82.

Mr. O'Connell moved, that Clause 83rd be struck out.

On the Question, that the Clause be retained. The House divided: Ayes 6; Noes 43—Majority 37.

The Clause was struck out. The remaining Clauses were agreed to. The House resumed. The Report to be received.

COVENTRY ELECTION.] Mr. *Halcombe* presented a Petition, signed by 960 of the electors of Coventry, complaining of the conduct of the returning officers of that borough at the last election. The hon. and learned member also said, that he felt it his duty to call the attention of the House to the Report of the Select Committee which had been appointed to inquire into the transactions at the last Coventry election, and more particularly to refer to the conduct of the returning officers of the borough, the Sheriffs, on the same subjects as were complained of in the petition which he had just presented. He would do this with a view to those officers being called to the Bar to be dealt with according to the pleasure of the House. The election at Coventry, to which he referred, took place in December last, when Messrs. Ellice and Bulwer were the successful, and Messrs. Thomas and Fyler the unsuccessful candidates;

and such violent outrages were committed on the occasion, as to make this one of the grossest cases of the kind which had ever come before any Committee, either in this or any former Parliament. The hon. and learned Member then proceeded to detail several circumstances on which the complaint was founded. The day of the election being on Monday, the 11th of December, on the Saturday previously, a large mob of men were collected from the adjacent country, who were hired by a Mr. Randall and another person at 5*s.* per day, and on the morning of the election they were, in parties of from twenty to thirty men each, paraded about the town, and by them several of the inhabitants were assaulted and most tremendously beaten, so much so as to be saved only by getting quickly into their houses. Another fact was, that the Sheriffs had not allowed the polling to begin till twenty minutes after the time fixed by law. The hon. Member quoted from the evidence given before the Committee, the instructions given by Mr. Randall to the different bands, as to how and when they were to fall on the supporters of Messrs. Fyler and Thomas, whom they were directed to beat until they left them hardly alive; and to prove that those instructions were fulfilled to the letter, the supporters of Messrs. Fyler and Thomas were beaten, and, as one of the witnesses added, "beaten handsomely." The hon. Member next proceeded to show that the Corporation, to resist these desperate men, had armed their constables with osier twigs only; that the constables so adorned with osier twigs, were seen during the day gin drinking with the mob. He took that opportunity of giving notice, that early in the next Session of Parliament he would move for a Committee to inquire who had paid these men 5*s.* a-day, or 1*l.* a-man, for thus assaulting and maltreating the electors of Coventry. The House being apparently unwilling to hear the hon. Member, he appealed to it whether it was fitting to treat a question of this importance with so much impatience and neglect. For himself, he disclaimed all party feelings upon this occasion, and he hoped that he was addressing a House of Commons equally free from them. He then proceeded to complain that Robert Randall, who had acted as the leader of these bullies at the election, had since the election been appointed to a corporate office under the Corporation, and that one of his accomplices, Hamilton, known in Coventry by the vulgar name of "the chicken butcher," had been subsequently appointed to a place in the Customs. It was his intention to follow up his present Motion by moving for information as to the person or persons who appointed Randall to the corporation office, and Hamilton to the place in the Customs. There was a clause in the Reform Bill which gave the returning officers power to postpone the election *de die in diem* in case of riot at the poll; but although all this rioting, fighting, and beating of some of the electors took place in the polling-booths, and in sight of the Sheriffs, they had not postponed the election nor adjourned the polling till all was quiet. The hon. Member concluded by moving that the Sheriffs of Coventry, Mr. S. Crabbe and Mr. J. White, do attend at the Bar of that House on Tuesday next, to be dealt with as the House shall think fit, after hearing what they may have to allege in their own defence. He should also move that Messrs. Fyler and Thomas do also attend at the Bar, and give that evidence which they could not give before the Committee as to the riotous proceedings at the election. He should also move for the warrant appointing Robert Randall—

The *Speaker* informed the hon. Member, that he could only make one of his Motions at a time. With respect to his first Motion, the latter part of it was unnecessary, for if the Sheriffs once appeared at their Bar, the House would, of course, deal with them as it thought fitting.

Mr. *Halcombe* then altered the terms of his first Motion, and confined it to the mere calling upon the Sheriffs to appear at the Bar of the House on Monday next, but expressed his willingness to withdraw the Motion for the present Session, intending to bring it forward early in the next.

Mr. *Ellice* objected to having the question withdrawn, or to have it deferred to the next Session. The inquiry by the Committee had been productive of much good, and since then, there had been one peaceable election in that town, the only peaceable one that he had ever known there. The present Motion was therefore unnecessary, and certainly there could be still less necessity for bringing it forward next Session.

Sir *Oswald Mosley*, as Chairman of the

Committee which had sat on this subject, could bear testimony to the good which had resulted from its labours. He was passing through Coventry during the late election, and from the agents of both candidates he had learned that the best effects had resulted from the inquiry which had been gone into. He thought, that, under these circumstances, such a motion as the present was wholly unnecessary.

Mr. *Henry Lytton Bulwer* thought there was no ground for the Motion. The parties who complained had been the aggressors, and had been very properly treated as they deserved.

Motion negatived.

Mr. Halcombe moved for a copy of the appointment of Robert Randall, under the Sheriffs or Corporation of Coventry.

Mr. *Briscoe* seconded the Motion, and contended that his hon. friend had not been well treated, by not having received greater attention from the House.

Mr. *Halcombe* said, that it was his intention to bring forward this subject early in the next Session; and it was with that view that he now moved for the copy of Randall's appointment.

The House divided: Ayes 27; Noes 54—Majority 27.

Mr. Halcombe then moved for a copy of the appointment of —— Hamilton, now or late of Coventry, under the Commissioners of Customs.

Motion agreed to.

List of the Ayes.

Aglionby, H. A.
Althorp, Lord
Baring, F.
Barnard, E. G.
Bernal, R.
Blackstone, W. S.
Bruce, Lord E.
Cobbett, W.
Cornish, J.
Duncannon, Viscount
Faithfull, J.
Fielden, J.
Fitzgerald, T.
Gaskell, J. M.
Gordon, R.
Grant, Right Hon. C.
Harvey, D. W.
Kennedy, I. F.
Mackenzie, Stewart
Russell, Lord C.
Russell, Lord J.
Sandon, Viscount
Smith, R. V.
Somerset, Lord G.
Vigors, N.
Wood, C.
Wrottesley, Sir J.

TELLERS.

Briscoe, J. I.
Halcombe, J.

Metropolitan Police.] The House went into a Committee on the Metropolitan Police Act.

Mr. *Spring Rice* proposed a Resolution empowering his Majesty to grant out of the Consolidated Fund a sum not exceeding 60,000*l.* yearly, in aid of the parochial rates for the support of the Metropolitan Police force. The effect of the Resolution would be to authorize the Treasury to contribute a sum not exceeding 2*d.* in the pound towards the maintenance of the Police, so as to reduce the Parochial Assessments to 6*d.* in the pound, as originally intended.

Mr. *Thicknesse* opposed the Resolution. The country ought not to be called on to defray a portion of expense incurred for the protection exclusively of property in the metropolis.

Lord *Althorp* observed, that, upon the general principle, undoubtedly the metropolis ought to support its own Police, but the peace of the metropolis being of the utmost importance to the country at large, and the police being made available in various parts of the country, as well as in the metropolis, he thought it not unfair that a small portion of the expense should be borne by the country at large.

Colonel *Evans* looked upon the police to be like the guards, and thought that they ought to be paid by the whole country.

Mr. *Estcourt* also considered, that the police of London was a national force, and ought to be paid by the nation at large.

Mr. *Aglionby* thought the northern counties might as well be called on to pay for the police of Manchester and Liverpool, as the whole nation to pay for the police of the metropolis.

Mr. *Spring Rice* said, that the principle on which the grant was proposed had long been recognized in the case of Ireland.

Mr. *Benett* opposed the grant. The inhabitants of London should provide for their own security.

Mr. *Thicknesse* reminded the noble Lord, (Lord Althorp) that whenever the police were required out of London, they were paid by the districts requiring them. He should take the sense of the Committee on the subject.

The Committee divided: Ayes 49; Noes 19—Majority 30.

The House resumed.

List of the Ayes.

Althorp, Lord
Baring, F.
Barnard, H.
Briscoe, J. I.
Calvert, N.
Campbell, Sir J.
Chapman, A.
Ebrington, Viscount

Evans, G.
Evans, Colonel
Estcourt, T. G.
Graham, Sir J.
Grant, C.
Halcombe, J.
Hawes, B.
Horne, Sir W.
Humphery, J.
Kennedy, F.
Langston, J. H.
Lennard, Sir T. B.
Lennard, T. B.
Littleton, J. E.
Macaulay, T. B.
Mangles, J.
Ord, W. H.
O'Reilly, W.
Palmer, C. F.
Parrott, J.
Perrin, L.
Plumptre, J.
Poulter, J. P.
Rice, T. S.
Rotch, B.
Russell, Lord C.
Russell, Lord J.
Ryle, J.
Sandon, Lord
Shaw, F.
Smith, V.
Tancred, H. W.
Tooke, W.
Warburton, H.
Ward, H. G.
Wedgwood, J.
Wood, G.
Wood, Alderman
Wrottesley, Sir J.

List of the NOES.

Aglionby, H. A.
Baldwin, Dr.
Benett, J.
Bewes, T.
Cornish, J.
Ewart, W.
Faithfull, G.
Fielden, J.
Hill, M. D.
Hutt, W.
James, W.
Kennedy, J.
Philips, M.
Potter, R.
Rickford, W.
Thicknesse, R.
Tollemache, A. G.
Wallace, R.
Wigney, J.
Williams, Colonel

ROMAN CATHOLIC MARRIAGES BILL.] On the order of the day for bringing up the Report on this Bill,

Mr. *Shaw* proposed a Clause to prevent Catholic or Dissenting ministers from celebrating marriages between persons not belonging to their own flocks, rendering such marriages, if celebrated, void, and constituting the act a misdemeanor on the part of such ministers.

Mr. *Perrin* said, that the present Bill was intended merely to repeal certain odious acts, and upon that ground alone he would oppose the introduction of the proposed clause into it. When the general measure on the subject of the Marriage Laws, of which notice had been given, should be brought forward next Session, it would be then for the hon. Member to propose that or any other clause relating to the general law of Marriage. The present was only a particular measure to remedy a particular evil.

Mr. G. Wood opposed the clause.

The *Solicitor General* also opposed the clause, on the ground that the Bill now before the House went to mitigate the penal code, and that this clause, if adopted, would aggravate it, as it would make that criminal which might be at present innocently done by Protestant Dissenting clergymen in Ireland.

The Clause negatived; Bill to be read a third time.

HOUSE OF LORDS,

Friday, August 9, 1833.

MINUTES.] Bills. Read a second time:—Lighting and Watching; Customs Duties; Customs Regulation; Customs Bounties; Customs Management; British Possessions; Smuggling Prevention; Warehousing; Registry of Vessels; Isle of Man Trade; Navigation; Assessed Taxes Reduction; Sugar Refining.—Read a third time:—Turnpike Roads Returns.

Petitions presented. By the Bishop of CHICHESTER, from Youghall, for Amending the Criminal Laws.

PATENT LAWS.] The Marquess of *Clanricarde* wished to know from the noble and learned Lord on the Woolsack, whether he intended to proceed with the Patents for Inventions Bill this Session?

The *Lord Chancellor* said, that the Bill which had been alluded to, and which had some time since been sent up from the House of Commons, was a measure of great importance. Much difficulty, however, existed in legislating with respect to Patents, which involved a very nice branch of the law; but still it appeared to him that they were called on to legislate more or less on the subject. It would certainly require much attention so to legislate as to protect the interests of patentees, and to afford them all fair and proper facilities. He should approach the subject with great alacrity, because he felt that some improvement in that branch of the law was necessary. But it did so happen that, from the great multiplicity of business in the early part of the Session, he had not been able to enter into a thorough investigation of the question, nor had it been in his power to examine the Report drawn up by a Committee of the other House, and which was composed of individuals who possessed much practical experience. That Committee, as he understood, sat for a considerable time, and he supposed that it was upon that Report that the Bill which had been alluded to was founded. The Bill contained some clauses, the improvements contemplated by which were undeniable; but those improvements were mixed up with other matters which it was not so easy to deal with, and which he had not had an opportunity of considering. He believed that he was not the only person who felt scruples upon these points. Probably, what he was about to suggest would meet the approbation of the House—namely, that this Bill should be postponed till the next Session of Parliament, when further proceedings might be taken. As a sort of compensation for proposing the postponement of the measure, he could assure the House that he would devote his attention, as early as possible, to the branch of the law to which it related, after the other House had sent up its Report; and even before that took place, he was willing to look to those parts of the subject which the other House of Parliament had left untouched.

Lord *Wynford* said, the question was a very important one, and deserved more attention than could be paid to it at that late period of the Session.

East-India Company's Charter Bill.] The Marquess of *Lansdown* moved the Order of the Day for taking the Report of the East-India Company's Charter Renewal Bill into further consideration.

The Earl of *Aberdeen* moved, as an Amendment, "that Counsel be heard at the Bar in support of the claims of the holders of Carnatic stock."

The Marquess of *Lansdown* said, the claims of those petitioners arose out of a contract entered into between them and the East-India Company, by which certain revenues were to be set apart for the liquidation of their debt. By the 46th of George 3rd, the revenues of the Carnatic were to be appropriated to the liquidation of those claims. For his own part, he was of opinion, with his noble friend behind him (Lord Auckland), that the petitioners would not be in any way injured by the Bill then before their Lordships. From the best consideration which he had given the subject, it appeared to him, that the claims of the petitioners remained the same, and the means of paying them were just as safe, as before the introduction of this measure; but, as they seemed to entertain some apprehension on this point, he would recommend that their claims should be recognized by a distinct provision. He did not think, however, that their situation would in consequence be made better, or that Carnatic stock would be worth one shilling more in the market than it was at present. They undoubtedly had a right to call for the strict execution of the contract into which they had entered. It had been agreed, that the revenues of the Carnatic should be set aside to meet their demands; but it appeared that they had not derived much advantage from the arrangement, because it was not carried into strict execution; for, though those revenues had been set apart for that purpose, it did not appear that the claimants had received any benefit from those revenues. They had not been dealt with according to the original provision of the contract, but still they had not been substantively injured. Under all the circumstances, however, Ministers were desirous of satisfying them, by inserting a special clause to this effect:—"That the situation of holders of Carnatic stock should remain substantively the same as it is now, anything contained in this Bill to the contrary notwithstanding." At the same time he must observe that they would, in some respects, be placed in a better situation after the passing of this Bill than they were now placed in.

The Earl of *Aberdeen* was satisfied with the course taken by his Majesty's Ministers. It was perfectly evident, that the claim put forward by these petitioners was just and proper. It was only fair that they should be continued after the passing of this Bill, in the same circumstances as they were placed in at present. They desired nothing new; they only wished to retain the security which they now held. Now, he would maintain that, by the 8th and 16th clauses of this Bill, their situation would be much worse, if a provision of this description were not introduced. There was a note appended to a return of the financial charges of India, which had been laid on their Lordships' Table, which clearly proved that, by the manner in which the commercial assets of the Company were to be disposed of, and which would throw the limitable debt and the bond debt on the territorial revenue, that the holders of Carnatic stock would, under this Bill, be placed in a much worse situation than they held at present but for the introduction of this clause.

The Duke of *Wellington* called the attention of their Lordships to another class of creditors—he alluded to those who were interested in the limitable loan, from one of whom a petition had been presented a few days ago by a noble Lord (Ellenborough). The Acts of 1793 and of 1813 provided, that means should be adopted to transmit money to England to pay these creditors. But these enactments were set aside by the present Bill. It was not decided in what order these creditors were to be paid. All that was directed was, that the Court of Directors, who were the debtors, and the Board of Control, should make such arrangements as they thought fit for the payment of those demands, without naming any specific day.

The Earl of *Aberdeen* said, that, not anticipating that the noble Marquess would have introduced such a provision as he had stated his intention of introducing, with respect to the Carnatic creditors, he had drawn up, and intended to move, a clause which embraced the limitable loan creditors, as well as the Carnatic creditors. He wished to know, whether the noble Marquess had any objection to adopt it?

The Marquess of *Lansdown* said, he certainly should oppose any such clause. The case of the creditors now referred to was entirely different from that of the Carnatic creditors. In the latter case, the contract entered into with the creditors had not been strictly executed: because revenues that were set aside for the purpose of meeting their claims, had not been so applied. This, however, was not the case with the other description of creditors. The whole of these proceedings had been before these creditors for six months. The subject had been debated in the East-India House, it had been debated in the House of Commons, and it had been debated in that House, without those creditors ever stirring in the business; but now, at the eleventh hour, their complaints were first brought forward. Their claim was on the territorial revenue; and the President of the Board of Control, in a communication to the Court of Directors, in February last, which was laid before the Court of Proprietors, and which was published all through the country, distinctly pointed out the benefits which this class of creditors would derive from the new arrangement. Mr. Grant said:—"With regard to the territorial creditors, they obtain specific advantages. They obtain, for the first time, a national recognition of their lien on the Indian territory; they obtain a release from all doubts and difficulties which, either in law or in equity, may have been raised as to the nature of their rights in a technical point of view. All the property of which the commercial branch surrenders the possession, subject to the reservations already mentioned, confirms the obligation which the territorial creditor holds. This security, under the existing Acts, is confined to a temporary claim on the territorial revenue and commercial profit. It will, under the new Act, consist of the general funds and revenues of the Indian government, aided and augmented by the surplus assets of the Company at home, and by all their commercial property in India, which, whatever be its amount, will merge into the general funds and revenues of the Indian empire. Besides all this, the interest of the territorial creditor, when viewed on a great scale, must be considered as identified with that of the territory, which is his principal security, and must be promoted by whatever promotes the territorial prosperity." It was provided by the 53rd of George 3rd, that the commercial assets of the Company should not be liable to the liquidation of any charge of a territorial or political nature payable in India, until after the dividend on the capital stock of the Company was provided for; and therefore, he contended, those creditors had no just claim for the introduction of a clause in that Bill similar to the clause which he meant to propose with respect to the Carnatic creditors.

The Duke of *Wellington* said, that those petitioners had a claim, as well on the revenue derived from the sales of the Company, as on the territorial revenue. The former would, of course, cease under the present measure; and, therefore, the creditors would be so much worse off than they were at present, if a protecting clause were not introduced. Formerly an arrangement was made for the payment of those creditors, but now there was no provision of that kind. The noble Marquess said, that those creditors had not made an application in time, but the fact was, that they did not, and could not, know how they would stand, until the Bill was brought in. He was an advocate for the Company, but he would say, that they ought to sustain their credit by making a proper arrangement.

The Marquess of *Salisbury* said, the question appeared to him to be a very simple one. He thought that the limitable creditors ought to be placed on the same footing with other creditors.

Lord *Wynford* contended, that the creditors were placed in a much worse situation by this Bill than that in which they stood before. Under former Acts there were specific arrangements made for the payment of those creditors; but now it was left, by two clauses of this Bill, to the discretion and convenience of the debtors (the Court of Directors) and the Board of Control, in direct contravention of preceding legislative enactments. To remedy this injustice, he would move, that the latter part of the 8th clause, and the whole of the 16th, be omitted.

Lord *Auckland* said, if the assets of the Company were sufficient to provide for the expense of the government, these creditors should not be placed in a worse situation than at present; and it was certain that those assets would be more than sufficient. He could not understand how the holders of the remittable debts would be placed in any manner or degree in a worse situation than at present.

Amendment withdrawn, and the House proceeded to reconsider the Report.

Lord *Wynford* moved that the last five lines of the 8th clause, which exempted any stock or effects which the Company might hereafter have to their own use, or any dividend which might, by this Act, be secured to them, from liability to any debts which, under the Act, were chargeable on India, be omitted.

The Motion was negatived, as was also that for omitting the 16th clause, which gives priority of payment to the stockholder over all other creditors.

The Marquess of *Lansdown* introduced in the 37th clause, an Amendment, which went to provide that the fifth member of the Council, who is not a civil servant of the Government, should take no part in its deliberations, except on pure legislative measures, in order that he might not take part in any deliberations concerning the executive.

Amendment agreed to.

On the 65th clause, the Duke of Wellington proposed an Amendment to provide that the Commission to be sent out to revise the laws, should not consist of gentlemen sent from Westminster-hall without any experience of India, or the habits of the people.

The *Lord Chancellor* said, that it never entered into the imagination of any man to send out such persons; but, at the same time, it was barely possible that a gentleman who had been in India, and had returned to England, might be willing to go back to India, and to allow such a man to be employed, the clause must be left as it was.

Amendment negatived.

The Marquess of *Lansdown* proposed, in the 85th clause, an Amendment, the effect of which was to make the Governor-General send to England drafts of all measures which might be considered as tending to abolish slavery, in order that the Government at home might keep this delicate subject under its control.

Lord *Suffield* expressed his regret that this alteration had been made. He did not believe, that there would be any fears excited by the preamble of this Bill with reference to slavery; he would mention a fact to show that the idea of emancipating slaves was not so utterly out of the minds of the East Indians as seemed to be thought. In the island of Ceylon a great portion of proprietors, of all denominations, had liberated their slaves; the example was thought so laudable that it was, soon after, followed by the Mallaccans, the Sumatrans, and the proprietors at St. Helena. Even if the preamble were calculated to excite fear, it was now too late to prevent it, for the Bill, preamble, and all, had long ago been forwarded to India. The condition of the slaves in the East Indies was, in every respect, quite as deplorable as that of the West-India slaves. In Malabar it was infinitely worse: there, in addition to other dreadful punishments, it was not unusual to cut off the noses of the slaves; and several instances were related in the work of a credible traveller, where slaves had died under punishment. So degraded was their position, that when a Brahmin chanced by accident to touch one of them, he was obliged to fast a certain time by way of purifying himself from the supposed contagion of the slave's touch. One case was related where a man had stabbed his own son to save him from the disgrace of coming into contact with a slave in a narrow road.

The Duke of *Wellington* said, the noble Lord had enlarged much upon despotism and tyranny—abuses which he (the Duke of Wellington) was no more in favour of than the noble Lord. All he wanted was, to uphold the ancient laws, customs, and religion of the country. This had been the principal point observed with all former Governments, and he therefore trusted, that this Government would not make such violent innovations in the best institutions and customs of India. The proposed change was altogether uncalled for. He had never known a single instance of cruelty in Indian proprietors towards their slaves, and there were many other noble Lords who had, like him, served in India, who could afford the same testimony. The instance quoted of peculiar cruelty in Malabar had more reference to difference of caste than to slavery. There was hardly a family in India which was without domestic slaves; certainly there were no Mussulman families who had not female slaves, and any attempt to deprive the Indians of their slaves would inevitably produce the greatest dissatisfaction, if not absolute insurrection.

Report received—Bill to be read a third time.

SEPARATISTS' AFFIRMATION BILL.] The Earl of Gosford moved the second reading of this Bill.

The Bishop of *Hereford* did not oppose the principle of the measure, but feared that, as it at present stood, it would afford an escape from the oath to other than conscientious persons.

The Bishop of *Chichester* thought, that a general measure of exemption from taking oaths on account of religious scruples would be better than one merely exempting a particular sect. He conceived, however, that affirmations should be placed in the same predicament as oaths in respect to the penalty for making them falsely.

Lord *Wynford* thought, that in its present shape, the Bill was objectionable, as any one might say, that he was a Separatist, whether he was so or not. Something certainly ought to be done for those persons, whom he believed to be very respectable and conscientious; and he would, therefore, support the Bill, if a clause were introduced by which it could be proved that persons claiming exemption from the oath were really Separatists. He did not think that there was any proof that this sect objected to the taking of an oath; and he would suggest that a clause should be added, by which persons claiming exemption should declare, by their affirmation, that they were Separatists, and that it was one of the tenets of that sect that they should not take an oath. If such a clause were added, he did not see that there could be any objection to the Bill.

Lord *Plunkett* said, that the conscientious feeling regarding the taking of an oath was one not to be trifled with, and he considered that this sect was entitled to relief. They did not deny the propriety of binding themselves to speak the truth. He had had a good deal of conversation upon the subject, and among those persons was one who had given up a very lucrative situation in a bank in Dublin, on account of some scruples regarding an oath. He recollected that this gentleman objected to the words "so help me God!" because he considered it as calling down Divine vengeance upon him, and that it staked his salvation. He confessed that it was difficult to answer this species of argument. He thought that the clause suggested by the noble and learned Lord was a very proper one, and that it might be added in Committee.

Lord *Suffield* concurred in thinking, that the clause might be added in Committee. He did not believe that it would be difficult to prove whether persons claiming exemption from the oath were Separatists, because the number of Separatists was very small, and they were all obliged to record their names in their chapels. These records could always be referred to.

Bill read a second time.

HOUSE OF COMMONS,

Friday, August 9, 1833.

MINUTES.] Papers ordered. On the Motion of Mr. J. A. SMITH, Copies of all Communications between the Government and the Bank of England, dated subsequent to the 3rd June, 1833.—On the Motion of Mr. CHILDERS, the Quantity of Rape Seed, &c., and Bones for Manure Imported into Great Britain, during the twelve years preceding 1st January, 1833, and the Duty paid on it.—On the Motion of Mr. J. A. SMITH, Copies of all Communications between the Government and the Bank of England relating to the Renewal of the Bank Charter.—On the Motion of Sir HENRY PALMER, an Account of the Quantities of Tobacco, Wines, Spirits, &c., which have paid the Customs and Excise Duties, as for Home Consumption, since 1828.—On the Motion of Mr. CLAY, a Copy of several Papers relating to Sugar Refining.—On the Motion of Mr. O'REILLY, an Account of the Number of Prisoners Committed to the Gaol of Dundalk, and Tried at the Assizes for the County of Leith, &c.—On the Motion of Mr. RUTHVEN, a Copy of the Charter of the Dublin Corporation, their Estates, Rental, Expenses, &c.—On the Motion of Mr. HUME, a Copy of the Patent under which the Hon. George Elliot holds the Sinecure Office of Governor of the Mint in Scotland; the same of the Office of Master and Worker at the same Mint.

Bills. Read a third time:—Hamburgh Marriages; Roman Catholic Marriages (Ireland); Bankrupt Judges.—Read a second time:—Land Revenue (Scotland); Foreign Enlistment Act Repeal.—Read a first time:—Tithes Relief (Ireland).

Petitions presented. By Mr. FIELDEN, from Stanley, in favour of the Factories' Regulation Bill.—By Mr. J. MAXWELL, from Paisley, in favour of the Small Debts Court (Scotland) Bill.—By Mr. R. GRANT, Sir HENRY

PARNELL, Colonel EVANS, and Mr. CLAY, from different Individuals, against certain Provisions of the Bank Charter Bill.—By Sir SAMUEL WHALLEY, from Presteign, against the Imprisonment for Debt Bill.

FACTORIES' REGULATION BILL.] The Order of the Day having been read for the further consideration of the Report of the Factories' Regulation Bill,

Lord Althorp moved that the Bill be re-committed.

House in Committee.

Lord *Althorp* said, that he thought that to be a convenient time for going into detail on the regulations as to the time of employment. It was provided in the Bill, that no children under thirteen years of age, should work more than eight hours a-day, instead of the previous proposition of working all under eighteen years of age generally ten hours a-day; and that those children who were between thirteen and eighteen years of age should not exceed sixty-nine hours labour in the week. It would be a general rule that all under eighteen years of age should not work longer than sixty-nine hours in the week, and that no children should on any account be employed under the age of nine years. These arrangements would be secured by the appointment of the inspectors, in such a way that no evasion of the law could take place. By this Bill the provisions of Sir John Hobhouse's Bill were extended to all manufactories, except silk in certain cases. The Bill contained three principles—first, that children under thirteen years of age should not work more than eight hours a-day—secondly, that a system of inspection was established by which the Bill would be carried into effect—and, thirdly, it would establish a better and more general system of education among the class of persons employed in factories. He still entertained doubts of the propriety of the Legislature interfering between the master and servant, but he would admit that if children were placed in a situation in which they could not protect themselves, it was the duty of that House to afford protection to them. It was with these views that he offered the Bill to the consideration of the Committee, and he pledged himself to do all in his power to pass it during the present Session.

On the first Clause being read,

Mr. *Gilbert Heathcote* moved, as an Amendment, that the lace trade be excluded from the operation of the Bill. The hon. Member quoted largely from the Report of the Commissioners, to the effect that, in those districts where the lace trade prevailed, they saw nothing to call for any change in the system. Another argument in favour of his Amendment was, that the Bill would include only one-fifth of the trade.

Mr. *Strutt* supported the Amendment, and stated that he had had a letter from one of his constituents largely engaged in the trade, declaring that there were very few young people employed in it; that he had upwards of sixty working for him, and amongst them there were only four under fifteen years of age.

Lord *Althorp* said, the statements of the two hon. Gentlemen put the lace trade in a very different light from any other, as the Bill would not include more than one-fifth of it. He would, therefore, agree to the Amendment.

Mr. *Poulett Thomson* said, he was before aware of the necessity of excluding the lace trade from the operation of the Bill, but, as it was originally included in it, he had left it there, in order that it might be taken out in that House.

Mr. *Bolling* was opposed to the Amendment, and asked why it was proposed to exclude the lace manufactories? It was said, that there was no great expenditure of bodily labour on the part of the children employed in them. Why, there was none in the cotton spinning. So if that principle were adopted, the cotton manufactories should be exempted as well as the lace manufactories. He took the noble Lord on his own principles, and would, therefore, again ask him why exclude the lace manufactories? The clause of the noble Lord, by which all trades were included, had his approbation; and he could not sanction any departure from principle. Besides, he should not vote for the clause, unless it came into immediate operation, instead of in January, 1834, as it purported. If it came into immediate operation, the country would be satisfied; if not, it would be quite the contrary. If that Amendment was carried, then the power-loom weavers ought also to be excluded; for the hand-loom weavers (a large class) had much harder work, and they were not protected.

Mr. *Baldwin* said, if the House consulted the health of the operatives, they should attend to the ventilation and construction of the factories, as much almost as to any other circumstance whatever. Without a healthful atmosphere, it was little benefit to them to have their bodily labour abridged.

Mr. *Poulett Thomson* thought, it would be a very hard case to compel the manufacturers to come at once under the restrictions of this Bill, without any notice whatever.

Mr. *Briscoe* objected to the Amendment. He thought the House should not subject itself to the imputation of partial legislation, which would be the result if this Amendment were adopted. In his opinion, therefore, the word "lace" should not be left out of the clause.

Mr. *Bolling* would divide the Committee on the adoption of the Amendment. It was really the question whether legislation was to be on principle or not?

The Committee divided on the Amendment, that the word "lace" in the enumeration of factories should be omitted, when there appeared—Ayes 40; Noes 29: Majority 21.

List of the NOES.

Attwood, T.
Baldwin, Dr.
Bewes, T.
Briscoe, J. J.
Brotherton, W. J.
Childers, J. W.
Dykes, F. L. B.
Faithfull, G.
Fielden, J.
Goring, C. D.
Grosvenor, Lord R.
Hay, Col. Leith
Howard, P. H.
Lennox, Lord William
Marshall, J.
Oswald, J.
Plumptre, J. P.
Potter, R.
Poulter, J.
Ruthven, E.
Shawe, R. N.
Skipworth, Sir G.
Stuart, P.
Thicknesse, R.
Torrens, Colonel
Tyrrell, C.
Waller, J.
Wedgwood, J.
Willoughby, Sir H.

TELLERS.

Bolling, W.
Heathcote, J.

On Clause 2nd, which provided that persons under eighteen years of age should not work more than twelve hours a-day, being read,

Mr. *Robinson* considered this a very important clause. The noble Lord proposed that the labour of children under thirteen years of age should be restricted to eight hours a-day, and from thirteen to eighteen, to twelve hours a-day. For his (Mr. Robinson's) own part, he was averse altogether to legislative interference between master and servant, but since the principle had in this instance been agreed to by the House, it was not now for him to offer any further objection to it. As, however, the House was going to interfere, he could not refrain from saying that if there was a tender period at which children, and particularly female children, stood in need of legislative protection it was unquestionably the period of from thirteen to fifteen years of age; and it really did seem hard that female infants were to be protected till thirteen, and then, that immediately on their attaining their thirteenth year, they were to be liable to have suddenly an additional labour of four hours a-day thrown upon them. He was afraid he could not propose any substantive Amendment, yet he could not abstain from expressing his opinion, and he hoped the noble Lord would be able to suggest something calculated to continue protection to those poor girls who must be considered quite incapable of undergoing, at the moment they arrived at thirteen, four hours' labour in addition to that which on the preceding day they were able to get through.

Lord *Althorp* said, that this clause had been framed in conformity to the general feeling of the public. With respect to the sudden change of the additional work from eight to twelve hours being imposed when a child attained the age of thirteen years, there could only be two modes of proceeding with respect to that, either that the sudden change should take place, or that there should be a graduated scale of removing the extreme restriction; and as it would be impossible to have that graduated scale framed so as to be acted upon, he really did not know how he could amend the clause so as to meet the views of the hon. Member.

Mr. *James Oswald* moved, as an Amendment, that the period of labour should not be limited as proposed by the Bill to nine hours on Saturdays, but that it should be left to the manufacturers to make it twelve hours, as on other days, if they chose.

Mr. *Briscoe* opposed the Amendment. It was intended that the children should have a little relaxation on the Saturdays, that they might be somewhat refreshed from their fatigues on the Sundays, and enabled to keep from sleeping while in school.

Mr. *James Oswald* said, he was aware of the object, but he did not think that a sufficient reason, because at the Lanark Mills the children were as well protected, and their morals and health as well attended to, as at any manufactory that could be found, and no such Saturday restriction affected those mills.

Amendment agreed to.

Clause 2 to stand part of the Bill.

On Clause 3, which provides for extending, in certain cases, the hours of labour, at the rate of three hours per week,

Mr. *Hyett* proposed an Amendment, which would have the effect of compelling those under twelve years of age, as well as those under eighteen, who only were contemplated by the clause as it stood, to make up, in cases of lost time, at the rate of three hours per week.

Amendment agreed to; the clause to stand part of the Bill.

On Clause 4, which provides for loss of time through accident in certain cases being put,

Mr. *Brotherton* moved, that it be expunged, on the ground that it would open the door for the evasion of the Bill altogether. He knew that to make the children work to make up for lost time, would expose them to much tyranny, for there would be always time lost.

The Committee divided on the question that the Clause stand—Ayes 60; Noes 20: Majority 40.

List of the Noes.

Briscoe, J. J.
Benett, J.
Berkeley, Hon. C. G.
Cayley, E. S.
Fielden, John
Fitzroy, Lord James
Faithfull, George
Goring, H. D.
Marshall, John
Morpeth, Lord
O'Reilly, W.
Plumptre, J. P.
Potter, R.
Poulter, J. S.
Steuart, R.
Torrens, Colonel
Walter, John
Willoughby, Sir H.
Williams, Colonel

TELLER.

Brotherton, J.

The House resumed, the Committee to sit again.

The Renewal of the Bank Charter.] Lord Althorp moved the Order of the Day for the House to go into Committee on the Bank Charter Bill.

On the Question, that the Speaker do leave the Chair—

Mr. *Gisborne* rose to move his Resolution—"That the House will resolve itself into this Committee on this day six months." The evidence upon which the whole proceeding was founded, ought to be very cautiously received, because the greater part of it was *ex-parte;* and besides this, many of the witnesses who appeared before the Committee were Bank Directors, Bill-brokers, and generally were gentlemen in a situation which did not render it possible they could know much of the advantages of a free system of banking. But even that evidence, such as it was, did not make out the noble Lord's case. He knew, that it was said to be necessary that there should be some great body in the country, by which the issues of paper money ought to be regulated, in order to keep them from being too large at one time and too small at another; and this power could only be safely vested in a body like the Bank of England. But the evidence itself did not show, that the Bank used this power, even if they possessed it; for, so far from regulating their issues by the wants of the country, they issued gold when the market required gold, and paper when the market demanded gold. Instead, therefore, of regulating the market by their issues, their issues were regulated by the state of the market; so that, as far as this matter went, there was no necessity for the continuance of the monopoly. It was plain, from Mr. Horsley Palmer's evidence, that the Bank knew little or nothing of the Exchanges as a rule of its conduct. He had been in Portugal some time ago, and had had a conversation with the Portuguese Chancellor of the Exchequer, on the subject of a monopoly existing in tha country. That monopoly, like the Bank monopoly, chiefly affected the metropolis. Lisbon was supplied with meat by a monopoly. That monopoly was the subject of conversation between the Portuguese Chancellor of the Exchequer and himself. The former could not by any means be convinced that it would be advantageous to destroy the monopoly, and all the arguments which that Gentleman used in favour of the meat monopoly, were just as applicable to the monopoly of the Bank; and indeed, he believed, might be found, with the necessary changes of particular words, in the Report of the Bank Committee. The Portuguese Chancellor of the Exchequer said, that if free competition were allowed, the supply of meat would be irregular; at one time the market would be over supplied, and at another there would not be enough forthe wants of the city. Now, this was just the sort of argument used about the Bank; yet there was proof that in the money and in the meat market it was the demand, and the demand alone, that regulated the supply. The next objection was, that if the means of supply were not intrusted to one recognised body, there would be no responsibility on which the public might depend for the performance of what they required. Here the Portuguese Chancellor of the Exchequer had the advantage of the noble Lord, for the monopolist of the meat market at Lisbon did give a security for the performance of his contract; but the Bank here gave none. It was a principle in mechanics, that action and reaction were equal in opposite directions, and the noble Lord might depend, that a similar principle was as true in banking as in mechanics, and that issue and depression would equal each other. The hon. Member referred to several parts of the evidence, to show, that if the country and the Joint Stock Banks had the power of issuing notes at their discretion, they would be restrained from issuing otherwise than according to the wants of the country. Whenever free competition existed, it carried in itself the means of correction for the evils that arose from it. Supposing, for one moment, that ten bankers should agree to throw into the market two millions more than it required, their situation would only undergo an apparent, not a real change, for as the money in circulation, and the deposits in their drawers, always bore a proportion to each other, they would merely find a greater amount of deposits than before. If we were to have a National Bank, he should like to see an office under the Treasury for the issue of paper, which should not be convertible at the demand of the holder into gold, but should be received in payment of taxes, and with that the dividends might be paid. As he believed the monopoly of the Bank of England to be most useless, most expensive, and least defensible, he should move, that the Bill be committed on this day six months.

Lord *Althorp* did not intend to detain the House at any length, but felt it necessary to make a few remarks in defence of the course recommended by Ministers. First, he begged to say, as, indeed, his hon. friend had admitted, that the witnesses examined before the Committee were not his witnesses. His object had not been to examine persons whose opinions agreed with his own, and in selecting the members for the Committee, it had ever been matter of complaint against him, that he had chosen those of opposite notions, and different shades of sentiment. This at least did not show that he was desirous that only one side of the question should be investigated. The witnesses, too, were generally such as were named by the Members, and he himself had not proposed the attendance of more than one or two persons conversant with the subject. Certainly those persons were or had been engaged in business, but on this very account they were most likely to give sound practical opinions. The House would recollect that when a witness was examined before a Committee, he was liable to cross-examination by every member of that Committee, respecting the grounds on which his opinions were founded; and the result of such cross-examination was, that it was not the authority of an individual which gave weight to his opinions, but the reasons which he advanced in support of them. His hon. friend had made not a few comments on the evidence of Mr. Palmer. Now, he thought that the authority of Mr. Palmer, on account of the reasons which he had stated in support of his opinions, was very great on a question like this. Mr. Palmer had applied his mind to it for years; and all the reasons which he had given in support of his opinions, appeared to him (Lord Althorp) to be founded on a mature consideration of the question. Mr. Palmer had spoken of the course which the Bank had taken, and of the course of banking which was now considered the best, and had then gone to the state of the exchanges. His hon. friend had criticised the whole of Mr. Palmer's statement. He admitted, that when he first heard Mr. Palmer say, that he did not know what the par of exchange was, he was a little surprised. Mr. Palmer did not mean to say, that the same weight of metal produced the same in two different countries; what he said was, that he did not know how the par of exchange could be defined in figures—that an exchange below par was the demand for gold upon the currency of this country, and that you might have that demand for gold at a very high exchange, as well as at a very low exchange; for, undoubtedly, circumstances did occasionally happen in which, when the par of exchange was considerably in our favour, gold was withdrawn from the Bank; and when it was against us, gold came in. Then his hon. friend proceeded to say, "that the result of Mr. Palmer's examination proved, that the Bank did not regulate the currency at all, but that it allowed the public to regulate it for them." Now, he contended, that if the Bank were to allow any fancied notion that there was too great or too little currency to operate upon their transactions, the consequences to which it would lead must be evil. He thought that the public should be left to act on the monetary system, and that the Bank was right in letting the public use the power which it possessed of returning Bank paper for bullion. "But," said his hon. friend, "what advantage is there in having only one bank of issue if the public are to be left to regulate the amount of currency?" Now, he thought, that if there were a number of rival banks of issue, the currency would not be regulated on the principles which Mr. Palmer had described as the most correct principles of banking. His hon. friend had assumed that there should be a larger amount of currency than the demand. Now, the demand might be fair, or it might be speculative: if it were speculative, that would lead to a mere extension of the currency, and so would alter the value of money. He apprehended, that if there were several banks of issue competing with each other, and discounting Bills as rapidly as Bills could be discounted, and thereby increasing the circulation, there would be along with that rapid increase of circulation a rapid increase of prices, which, in the end, would turn the exchanges against this country. What he dreaded was, that the reaction so occasioned would be equally rapid, and that it would thus be greater than was necessary. The more sudden a reaction was, the more fatal would be its consequences. Now, with one bank, like the Bank of England, this could not take place. The effect produced on the Bank of England would not be the same as the effect produced on this competition of Banks, for the Bank of England would not be called upon during a speculative mania to increase its issues as banks managed upon the system of competition would be expected to do. The effect of the Bank of England being called upon to discount never could induce the consequences which he had already described. For this reason he thought that the currency was more likely to be equal—that there would be less fluctuation (for some fluctuation there must always be to rectify the exchange) by having one bank of issue, than by having many. In a word, he thought that by one bank of issue we should settle at the minimum of fluctuation. The object which Government wished to secure by this measure was the minimum of fluctuation; and to his conception it was impossible that a competition of banks could exist in the metropolis without increasing the amount of fluctuation. These were the grounds on which he thought that one bank of issue was better than a competition of several banks of issue. Once he had been of opinion that a competition of banks was best; but he frankly confessed that since he had inquired into the subject his opinion had undergone an alteration. But his hon. friend said, that, taking away the monopoly of the Bank of England would destroy the connexion between the Bank and the Government. Now, he thought that the blame which was often attributed to the Bank, was often attributable to the action of the Government upon the Bank. He likewise was of opinion that the Bank ought not to change its operations to accommodate the Government. If the Government would confine itself to using the Bank as a private individual used his banker, he saw no objection to its so doing. His hon. friend had also treated the publicity, which was henceforward to be given to the accounts of the Bank, as a matter of no consequence. Now, he put it to the House whether that publicity would not have a direct tendency to check the connexion between the Bank and the Government. "But," said his hon. friend, "the Bank is not responsible;" to that he would only reply, "The Ministers are." He could not conceive that, with a publicity of accounts, there was any danger of the connexion between the Government and the Bank again producing the evils which had been so justly lamented. Considering how important it was to keep the currency from fluctuation, he thought that a single bank of issue in the metropolis was most desirable; and having that conviction on his mind he should persist in the original Motion.

Sir *Henry Parnell* wished to state the grounds which induced him to vote in favour of the Amendment proposed by the hon. member for North Derbyshire. He thought, that sufficient inquiry into this subject had not been instituted for the interest of the public. He informed the House that he had repeated conversations with the late Mr. Ricardo on this subject, and that Mr. Ricardo had agreed either to bring forward a resolution himself, or to support a resolution brought forward by him (Sir Henry Parnell), pledging the House to the fullest inquiry into the Bank question. He likewise said, that there was a full understanding in the Committee that after the examination of the witnesses, whose evidence was now printed, was closed, he should be allowed to produce the witnesses on the other side. Three Gentlemen, who were anxious to be examined, had called upon him, when it was too late to get them examined, and he was then told, that the Committee should be re-appointed this year. They all knew, that the Committee had not been re-appointed, and in consequence the public had been deprived of much valuable information which ought to have been brought before it. One objection to this plan was, that by it the Government would be tied up for at least ten years, and not have the power of remedying any evil which might accrue to the public from the working of the plan. The noble Lord looked only to prospective evil, but he forgot the influence that had been exercised over the currency of the country by the twenty-four directors of the Bank. If evidence had been allowed on that head, he could have shown, that in all the commercial convulsions which had taken place in the country during the last forty years, the Bank had been the principal cause in producing them. If the inquiry had been fairly gone into it could be shown, that the Bank had been the cause of the stoppage which took place in 1797, and of the depreciation of the currency which followed—that the Bank had been mainly the cause of the commercial convulsion and panic which took place in 1824 and 1825. These, if proved—and they could have been proved had the inquiry been fully gone into—would afford so many strong arguments against the continuance of the Bank; but those who defended that monopoly were bound to disprove them by evidence, if they could. He would contend that if the principle of free trade were applied to banking, it would work well. If, when the Bank was first established 130 or 140 years ago, the principle of competition had been established also, our banking system in general would have gone on with it, and adapted itself to the growing improvements in our trade and commerce, and the public would now have the advantage of competition in that as in every other trade. Now, as to having more banks of issue than one in London, his noble friend (Lord Althorp) had said, what had convinced him (Sir Henry Parnell) that his noble friend did not fully understand the subject, and that therefore there ought to be further inquiry. His noble friend had intimated his opinion, that if there were several banks of issue in London, there would be a tendency to an over-issue of paper by them; but his noble friend had not taken into his consideration that it would not be the interest of any such banks to have an over-issue, for if they had they would soon find their notes returned upon them, and would draw upon them the hostility of the other banks. He thought, that many banks of issue would supply what the circulation of the country required and no more, and that the country must gain by the competition. He would not, however, under the circumstances he had stated, advise that the Bank Charter should be immediately withdrawn. He would suggest, that it should be continued for three years longer from the present time, and in that interval the House would have sufficient time to examine whether the reasons for withdrawing the charter altogether, or those for continuing it, were the stronger.

Mr. *Strutt* could not allow this question to go to a division without saying a few words as to the grounds of the vote he should give. He had attended the Committee which sat on this subject, and he owned that he had not heard any argument to convince him that the Bank monopoly should be continued. He had, indeed, heard the opinions of many highly respectable individuals, on that side of the question; but as they had not been supported by arguments, he must take them only as opinions, and those, too, the opinions of men who, however intelligent, must be considered in this case as partial witnesses. From the evidence of Mr. Horsley Palmer and others, it was clear, that the Bank thought the convertibility of their notes a sufficient security against over-issue; but it was rather inconsistent with this opinion that they should turn round and say, that no competition of banks of issue should be allowed in the metropolis. Now, he thought it but fair, before they passed a measure of this kind, to inquire how far the panic of 1825 had been aggravated by the conduct of the Bank; for he certainly thought, that an injury had been then done to the public which could not have occurred if competition had been allowed. What he charged against the Bank was, that they had not contracted their issues when they found their paper largely returned upon them. He must contend, that all the experience they had had was in favour of free trade, and that the advantage would be found in a free competition in banking as well as in everything else. The onus lay therefore upon those who opposed such competition, to show that it would be injurious if applied to banking. If they adopted the system of a national bank, the whole of the profits would go to the State; but if they found that objectionable on other grounds, then they might establish the principle of competition, and though in such competition the State would derive no direct advantage from the profits, those profits would go into the pockets of the public, and the more extensive the competition was, the more the public would gain, as competition would secure the lowest terms. In the plan now proposed by Government there was neither one thing nor the other—neither the advantage to the State which a national bank would secure, nor the advantage which the public would derive from extensive competition. The Government would be obliged to deal with the monopoly bank, and would, of course, get much worse terms than if competition were permitted. With respect to the question of making bank notes above a certain amount a legal tender, he would say, that the question should be considered, not merely with reference to commercial, but also to political panics. If the commercial panic alone were to be considered, the question might not admit of much difficulty, but he thought there was much greater risk at present from political than from commercial panics; and that in the former case the danger would be greater, from the circumstance of extending the Bank of England over the greater part of the country. As to the publication of the Bank issues, he was not disposed to think it such an efficient check, at least as it stood in the Bill, as the noble Lord considered it. It was proposed, that the average issues of three months should be published quarterly, but that weekly returns should be made to the Treasury. He thought the public should have the advantage of the information thus weekly laid before the Government, and he hoped to hear that some alteration would be made in the Bill in this respect. He had heard no argument to satisfy him that it would not be an advantage to the public to permit the establishment of joint stock banks of deposit in the metropolis. On the whole he would support the Amendment of his hon. friend, the member for North Derbyshire, because he thought that evidence should be afforded to convince them of the necessity of taking so important a step as this before they were called upon to assent to it.

Mr. *Hume* declared that, in his opinion, the noble Lord had not made out his case, and that not one of the arguments which the noble Lord had used in favour of the plan, but might be urged with greater success in opposition to it. It had been very truly said, that the currency of the country ought to be rendered as steady as possible: in that sentiment he fully concurred: but he would ask, were not the banks of Scotland eminently calculated to produce that great desideratum of steadiness? Under the banking system of Scotland fluctuation was nearly out of the question, and it was a complete preventive of over-issues. He wished to put the question on this footing, was there or was there not the utmost hazard in handing the country bound hand and foot over to the power of the Bank?—were they warranted in disabling themselves from dealing with the currency of the country under any circumstances for a term of ten years. Looking at the evidence before the Committee, he should say, that it was most abundant to show that the best effects had resulted in Scotland from the business of banking being in the hands of many, and the greatest mischief had resulted in England from its being only in the hands of a few. The remedy, he thought, for all these mischiefs would be a really national Bank, and whatever profits arose from it ought to be applied to the credit of the public; but at all events, let them ultimately come to what resolution they might, they ought to hear further evidence, and wait at least for another year. They ought to wait for another year were it only for the purpose of being in a better condition to make an attempt to break the connexion between the Government and the Bank. The history of the country had proved, that nothing could be more mischievous than that Government should be in the habit of receiving accommodations from the Bank. If the monetary affairs of the country were upon a proper footing, there would not be one pound at the disposal of the Minister of the day otherwise than by the consent of Parliament. It was with great regret, that he saw such a proposition as the present brought forward by the noble Lord, who had himself once been the enemy of all monopolies in banking. Could anything be more vain and futile than the idea that one bank of issue would prevent panics? On the contrary, it would have the effect of rendering them more frequent than ever. He hoped the noble Lord would consent to put off, till next year, a measure that really was of the last importance, and ought on no account to have been brought forward at so late a period of the Session, and when so many Members had gone out of town.

Mr. *Fryer* said, the question then under the consideration of the House was one which would determine the amount of the rents of their lands. He was not influenced by any sentiment of hostility against the Government, but a sense of duty compelled him to say, that the noble Lord took up his measures hastily, and abandoned them indiscreetly; he, therefore, did not anticipate a very persevering maintenance of that measure. In the present stage of it, however, he begged early and at once to declare, that he was in favour of a postponement of the question, and he founded his opinion as much upon the arguments of the noble Lord opposite, as on the influence of any other considerations. There was nothing more obvious than that the system now about to be introduced would supersede the country banks; and it would besides have the effect of placing 30,000,000*l.* of the currency in the hands of the Bank of England, which would become complete masters of the money, and trade of the country. To that he altogether objected. He agreed with the noble Lord, that one bank of issue would be sufficient, but he thought it ought to be a national bank. This Bill would have the effect of rendering the gold circulation of the country unproductive. If they were to take the gold of Potosi, and return it into the bowels of the earth, they could not render it less productive than it would be by this Bill; but nearly the same effect would be produced by this extension of Bank paper. He would make the paper of the country inconvertible, and secured on the property of the country, but of a certain fixed amount. A man who had now 30,000*l.* in gold could scarcely get any interest for it. The Bank stepped in with its cheap rags, and prevented him from using his gold to advantage. This was a ruinous sort of competition; it was like that of the Rob Roy and the Quicksilver Brighton coaches. The Rob Roy offered to carry passengers cheaply, but the Quicksilver offered to take them for nothing, and give them a bottle of wine on the road. The Rob Roy could not stand this, and declared itself beaten out of the field; and the Quicksilver having it all to itself was run away with and upset and smashed; and that would be the result with the Bank if the present system were persevered in. The principle of Peel's Bill was good, and to that principle he was ready to adhere, however it might affect his own interest—that he looked upon as the least consideration. Unwilling as he might be to address that House, from a consciousness of inadequacy to such an undertaking, he felt that in times like the present his duty to his constituents demanded that he should in that place give utterance to honest and independent views, and to those views he could not give effect otherwise than by voting for the postponement.

Mr. *Robinson* said, that the House had before it only a choice of difficulties, and under such circumstances, looking at the Measure as a whole, he thought the Government arrangement likely to be satisfactory to the country at large. The object of the noble Lord was to establish a paper circulation as free from objection as possible, and the present plan appeared calculated to effect that purpose. The panic of 1825 was not to be attributed to the mismanagement of the Bank, and he therefore saw no reason to apprehend ill consequences from that system as proposed with respect to Bank of England notes; but he should view with alarm an unlimited issue of paper money by irresponsible parties. He did not mean to assert that the Government plan was free from objection, but he thought it preferable to that free trade in banking suggested by its opponents, and should therefore vote for going into Committee.

Mr. *Cobbett* said, that his hostility to the Bill and his approbation of the Amendment were founded entirely upon the single clause by which Bank of England notes were made a legal tender.

Sir *Henry Willoughby* would support the Motion of the hon. member for Derbyshire, but on somewhat different grounds. Though he agreed with the right hon. member for Dundee, that the inquiry of the Bank Committee last year was *ex-parte*, and that further inquiry was very desirable, he could not, however, think the question before the House was, whether there should be one bank of issue or many rival banks of issue. He would concede there should be but one bank of issue, but some efficient control was required over that bank. Publicity under the Act would only inform the public of mischiefs incurred. There was no preventive remedy; the evil would be done, and the public would learn its nature and extent only when it was irremediable. The Act established a legal tender; under this provision any alterations in the amount of Bank paper would be felt in the remotest parts of the country; every country bank of issue would be affected. Surely some express control on the part of the public over the exercise of such a power should be provided. The noble Lord, the Chancellor of the Exchequer, had rightly said the principle of the bank of issue should be to attain the minimum of fluctuation. He agreed to that position. It had been said the Bank never acted on the public, but the public was allowed to act on the Bank. But was the public always right? Did not the noble Lord admit the occurrence of speculative demands? It might be the interest of the Bank to supply such demands, while that of the country might be the reverse, with a view to avoid those expansions and contractions which had so often proved the source of every evil a bad system of paper issues could inflict on a nation, and which this nation had so much reason from experience to deprecate.

Mr. *Thomas Attwood* said, the Bank was not blameable for the stoppages of 1797 and 1825, as the right hon. member for Dundee appeared to suppose, for it had been merely the instrument of executing the will of the existing Government. In 1797 the stoppage was occasioned by the demand for 90,000,000*l*. of gold and silver currency to meet the withdrawal of assignats in France; and the crisis of 1825 had its origin in the Bill of 1819, followed as it was by Lord Castlereagh's five measures of 1823. Of the Bill of 1819 he could not speak in terms sufficiently expressive of his disapprobation. The measures of 1822 were well intended; their object being to relieve the agricultural and commercial interests, an object which was at least partially effected. Hence the prosperity of 1823, 1824, and 1825. he latter year the exchanges turned against us, and gold was exported in immense quantities, 8,000,000*l*. having been entered at the Custom-house, independently of what was sent away without such notice. In consequence of this state of things, which had arisen out of increased paper issues, the panic occurred, which, however, the Bank did every thing in its power to guard against and lessen. Had it not been for the moral firmness of the Bank in meeting the crisis, and throwout its notes into circulation on that occasion, we should have witnessed a catastrophe which he would not attempt to describe. The right hon. member for Dundee had said, that the banking system was much improved since 1826, but the right hon. Baronet was mistaken. The old system had been impaired and undermined, without substituting for it anything satisfactory. The old banks, both in London and the country, had one fault—a sordid and servile devotion to men in power: that was bad enough; but the joint-stock banks, which it was proposed to establish, would be seven-fold more the tools of the Government of the day, because they would all be under the surveillance of the Bank of England and entirely dependent on it, and that establishment was under the immediate control of Government, so that the Government would instruct the Bank of England as they pleased: the Bank would instruct the branch bank; the branch banks would instruct the joint-stock banks, the joint-stock banks would instruct every one of their partners; the partners would instruct their debtors, and all over whom they had influence; and the people of England would have to rue the day in which such a system of influence was established. It was proved by an American publication, that the joint-stock banks of the United States, had been productive of immense mischief; and he therefore, at the outset, protested against any further extension of the system in this country. With respect to the charge brought against country bankers of forcing their notes into circulation, he altogether denied it. The adoption of such a course would impair the credit of any banker who attempted it; at the same time that the immediate object of forcing his paper into circulation would be defeated. It had been said, that there was no panic in Scotland in 1825, but that was not to be ascribed to the confidence inspired by joint-stock banks. It was forgotten, that there were no sovereigns in Scotland in 1825, and that guineas had not been seen there for the last 100 years, except as whist-markers on some dowager's card table. In short, there being no gold circulation in that country, the exportation of the precious metals could not affect it. The drain of gold from England was no inconvenience to Scotland; and, therefore, the subtraction of sovereigns could not occasion a panic. The leaders of all parties, Whigs, Tories, and Radicals, had joined in a mortal war against a principle of vital importance to the interests of the community generally—he alluded to the paper currency, which had been sent to the wall; the hon. member for Oldham had also joined in the warfare, and had advocated the abolition of the system; but he (Mr. Attwood) had anticipated what would be the result, and some years ago, in a letter which he addressed to Lord Sidmouth, had warned the Government "not to fall into the snare like the bird into the net of a fowler." He was now more than ever convinced, that the sooner Government paper was adopted, the better it would be for the country. He did not object to making Bank of England notes a legal tender, but he wished also that Government notes should be so; and though he would not give the Government powers to issue millions of such paper, yet he would have them put as much in circulation as would keep the people in full employ, and make them happy and prosperous. He would have the Government to make the condition of the working and industrious classes their guide, and not look only to the interests of the fundholder, the placemen, and the pensioners. Let the Government, in legislating upon this important subject, regard well the interests of the productive classes—the honest labourers. He hoped the noble Lord would see the benefit that would arise from the establishment of banks of issue in London. He (Mr. Attwood) admitted, that banks of deposit in London would be an evil. He supported most cordially the Motion for going into Committee upon the Bill, which had already been delayed sufficiently long. He had attended to this very important subject for the last twenty years, and his opinion, after much consideration, was, that the interests of this great nation would not be safe if the question should be suffered to go over to another Session; if the House consented to a postponement, it would compromise the interests of this great community.

The House divided on the Amendment —Ayes 40; Noes 119: Majority 79.

List of the AYES.

ENGLAND.
Aglionby, H. A.
Biddulph, R.
Bish, T.
Brocklehurst, J.
Buckingham, J. S.
Buller, Chas.
Clay, W.
Cobbett, Wm.
Dykes, F. L. B.
Ewart, Wm.
Faithfull, G.
Fenton, John
Fielden, J.
Forster, C. S.
Fryer, J.
Hawkins, J. H.
Hill, M. D.
Hughes, Hughes
Martin, John.
Palmer, C. F.
Romilly, John
Scholefield, J.
Scrope, P.
Shawe, R. N.
Strutt, Ed.
Torrens, Colonel
Tancred, H. W.
Tyrrell, Chas.
Wall, C. B.
Whalley, Sir S.
Williams, Col.
Willoughby, Sir H.
Young, G. F.

SCOTLAND.
Oswald, R. A.
Parnell, R. Hon. Sir H.
Wallace, R.

IRELAND.
Blake, M. J.
Evans, G.
Ruthven, E.
Vigors, N. A.

TELLERS.
Gisborne, Thos.
Hume, Joseph

PAIRED OFF.
Guest, J. J.

The House went into Committee.

Clause 1 agreed to.

On its being proposed, in Clause 2, which provides that no banking company of more than six persons shall issue notes payable on demand in London or within miles of it, to fill up the blank with the words "sixty-five,"

Lord *Althorp* said, that in the first place, it was not, nor had it been the intention of his Majesty's Government to make any alteration in the privileges of the Bank of England, with one exception only; neither had it been intended to diminish those privileges which at present existed with respect to exclusive banking. The alteration which was proposed was, to do away that restriction which would prevent joint-stock banks, consisting of more than six partners, and established at a greater distance than sixty-five miles, from issuing notes payable on demand in London, or from drawing bills on London under 50*l*. It had been stated as matter of doubt, by several hon. Gentlemen, whether, by its exclusive privileges, the Bank of England had the right to prevent the existence of banking companies of more than six partners in the metropolis. From the information he had received at the time he had introduced this Bill, he had been induced to think the Bank of England had this privilege; but when doubts had been started, he felt it necessary to consult the law authorities; and their opinion was most distinct and clear, that by the law as it at present stood there was nothing to prevent banks of deposit, composed of more than six partners, being established within the metropolis. He thought it would be improper to leave the law doubtful upon this point, and he therefore proposed, upon the bringing up of the clause, to move the insertion of words declaratory of the interpretation of the law, which, as he had already said, was distinct and clear, that banking companies of more than six persons could be established in the metropolis. Such a declaration would not diminish the privileges of the Bank, for such a privilege had never been intended; and as to increase of privileges, if he wished to grant any, he was sure he should not have the support of the House.

Mr. *Cayley* moved, as an Amendment to the second clause, that the restriction as to the number of partners in the country banks of issue should be confined within the limit of twenty-five miles round London, instead of sixty-five miles.

Mr. *Mark Philips* said, that as he also had given notice of a motion respecting this clause—namely, to repeal so much of the Act of the 7th George 4th, c. 46, as restricts banking companies of more than six partners from drawing bills on London for less amount than 50*l*. from making their notes payable in London, and from having their own offices in London. He would ask the noble Lord whether, in addition to doing away with the restrictions upon the drawing of bills for less than 50*l*., he ought not also to allow joint-stock banks to make their notes payable in London, and to have offices in London for that purpose? He was not seeking, in pressing forward this Motion, to establish in London offices on which the joint-stock banks could possibly draw; he merely wished that they should have the privilege of establishing an office in London for the performance of agency business. He did not want to establish an office where drawing of Bills should form part of the concern, or where any banking business should be transacted beyond the mere paying of the notes of the bank to which the office belonged. He wished to know whether, on this point, he should have the assent of the noble Lord?

Lord *Althorp* said, that before he could give his assent he was desirous of seeing the exact words proposed to be introduced in the clause; and if he agreed with the hon. Gentleman he would consent to put them in another Bill. He certainly wished to give entire freedom to joint-stock banks to draw and issue notes, and in the manner which was considered most convenient. He had heard practical men say, that it would not be very advantageous for banks in the country to have houses on which to draw in London, and he therefore could not help expressing some little doubt on the point. But a proper time would come to discuss it. He did not see any necessity for the discussion at present, as the clause as it stood did not prevent that which the amendment proposed to establish. With respect to the amendment proposed by the hon. Member (Mr. Cayley), he did not think that it was of any importance. He had no objection to it as far as he was concerned; but there were other hon. Members who entertained strong objections to it. He would leave it to some hon. Member connected with the Bank to state the ground of their objections to the Amendment. For himself, he was indifferent whether the distance was to be sixty-five miles or twenty-five miles.

Mr. Alderman *Thompson* opposed the amendment. The Bank of England having agreed to deduct 120,000*l*. a-year from the amount paid to it for the management of the public debt, the clause confining the establishment of banks of issue to a circuit of sixty-five miles beyond London was considered by the Bank as a fair return, and equivalent for that concession; and as it made a part of the bargain between the Government and the Bank, it should, on the principles of fairness and good faith, be adhered to.

Mr. *Cayley* said, they might as well have made the limitation 165 miles as 65. It should be recollected that the public and Parliament were parties to the bargain, as well as the Government and the Bank.

The House divided on the Amendment —Ayes 51; Noes 113: Majority 62.

List of the Ayes.

ENGLAND.

Aglionby, H. A.
Barnard, E. G.
Benett, J.
Bish, Thos.
Blackstone, W. S.
Blamire, W.
Brocklehurst, J.
Buller, C.
Burrell, Sir C.
Clay, W.
Cobbett, W.
Dykes, F. L. B.
Ewart, W.
Fryer, R.
Gisborne, T.
Godson, R.
Goring, H. D.
Hall, B.
Hardy, J.
Hume, J.
Hutt, W.
James, W.
Lennard, T. B.
Lester, B. L.
Marshall, J.
Martin, J.
Palmer, C. F.
Philips, M.
Potter, R.
Romilly, J.
Scholefield, J.
Scrope, P.
Strutt, E.
Tancred, H. W.
Torrens, Colonel
Tyrell, C.
Wall, C. B.
Warburton, H.
Whitmore, W. W.
Williams, W. C.
Williams, Col.
Willoughby, Sir H.
Wilks, J.
Young, G. L.

SCOTLAND.

M'Leod, R.
Parnell, Sir H.
Wallace, R.

IRELAND.

Blake, M. S.
Hayes, Sir E.
O'Reilly, W.
Vigors, N. A.

TELLER.

Cayley, J.

Paired off

FOR.	AGAINST.
Guest, J. L	Byng, Sir J.

On Clause 4, which continues the Charter to the Bank for a period of ten years, being read.

Colonel *Torrens* rose to propose the Amendment of which he had given notice, "that upon one year's notice given, within six months after the expiration of three years from the first of August, 1834, the exclusive privileges of banking granted by this Act shall cease and determine." He would not, he said, trouble the Committee with a repetition of the arguments which he had already adduced against this portion of the Bill. After the decided difference of opinion which prevailed in the House with respect to this measure, it was too much to enact that the exclusive privileges which it conferred should continue for so long a period as ten years. He would, as he understood that would be technically the best way to accomplish his object, move to insert the words "three years" instead of "ten years" in the clause.

Mr. *Hume*, in seconding the Amendment, said that it was only justice to the country, if the Bill should prove disadvantageous to it, to give it the opportunity of remedying the evil before the expiration of so long a period as ten years.

Mr. *John Smith* said, that it would be a most inconvenient and injurious course to subject a question of this importance to the liability of being, at short intervals, repeatedly opened and discussed. The public interest required that something permanent should be done on the subject. He must say that, owing to the confused manner in which this discussion had been carried on for the last half hour or so, many hon. Members who, like himself, had important interests at stake in connexion with it, were perfectly ignorant of what they were just now doing. This he would say, that nothing could be more inexpedient or dangerous than to re-open a subject of this kind in the course of two or three years.

Lord *Althorp* agreed with his hon. friend, that the greatest possible inconvenience would arise from re-opening this question in so short a period as three years. It was most desirable that the House should settle it as well as it could now, without renewing the discussion upon it for at least ten years to come.

Mr. *Hume* observed, that the present arrangement of the charter might prove, as indeed it was expected by many to prove, disadvantageous to the country. If that should be the case, it would be most important that the country should have the power of remedying the evil. At all events, the period should be limitted to five years.

Colonel *Torrens* would alter his amendment to that effect, and propose, that the charter should be limited to five years. After the experience which the country had had of the disastrous effects produced by the Bank's mismanagement of the currency, it was too much to continue its exclusive charter for ten years.

Mr. Alderman *Thompson* opposed the Amendment. It was said, that there had not been sufficient inquiry; surely the voluminous mass of evidence that had been taken on the subject last Session was a sufficient answer to that observation.

Mr. *Warburton* said, that in consequence of a subsequent clause in the Bill, which proposed to make notes of the Bank of England a legal tender, the effect of which could not be calculated or foretold even by those who proposed it, he would vote for the Amendment.

Mr. *Gisborne* was in favour of the Amendment, which, if carried, would virtually continue the charter for six years and a-half.

Mr. *Grote* thought, that at all events seven years would be a sufficiently long period.

The Committee divided on the Amendment—Ayes 47; Noes 122: Majority 75.

List of the Ayes.

ENGLAND.
Aglionby, H. A.
Bish, Thomas
Blackstone, W. S.
Blamire, W.
Bolling, W.
Brotherton, J.
Brudenell, Lord
Cayley, E. S.
Clay, W.
Cobbett, W.
Dykes, F. L. B.
Egerton, W.
Ewart, W.
Faithfull, George
Fielden, John
Gisborne, T.
Gladstone, W.
Godson, Richard
Hall, Benjamin
Hardy, John
Hume, Joseph
James, William
Lennard, T. B.
Martin, J.
Palmer, R.
Palmer, C. F.
Phillips, Mark
Potter, Richard
Scrope, Poulett
Strutt, E.
Tancred, H. W.
Townshend, Lord C.
Tyrrell, C.
Warburton, H. S.
Williams, W. C.
Willoughby, Sir H.
Wilks, J.
Young, G. F.

SCOTLAND.
Parnell, Sir H.
Sinclair, G.
Wallace, R.

IRELAND.
Baldwin, Dr.
Blake, M. J.
Evans, G.
O'Reilly, W.
Ruthven, E.
Vigors, N. C.

TELLER.
Torrens, Colonel

Paired-off.

FOR.	AGAINST.
Guest, J. J.	Byng, Sir J.

Clause agreed to.

The Chairman read the next Clause, making Bank of England notes a legal tender.

Mr. *Herries* said, as the noble Lord, the Chancellor of the Exchequer, had, on a former occasion, stated, that this clause formed no part of the bargain with the Bank, it had better be struck out and made the substance of a separate Bill. It was quite out of place in the present measure, if it formed no part of the bargain with the Bank, though it might hereafter be contended that it was part of that bargain, in consequence of being in the Bill, and thereby Parliament would be prevented from repealing it.

Lord *Althorp* admitted, that in his opinion, the clause formed no part of the bargan with the Bank.

Mr. *Baring* expressed a doubt as to whether it would be in the power of Parliament to repeal the clause, if it were allowed to stand in the Bill.

The *Solicitor General* said, that as his noble friend declared that the clause was no part of the contract with the Bank, there could be no doubt it would be competent for Parliament at any time to repeal it. The question was one to which the Bank were not parties, but only the Parliament and the public.

Mr. *Herries* expressed his surprise at the opinion pronounced by the hon. and learned Member. The title of the Bill was, "A Bill for giving to the Corporation of the Governor and Company of the Bank of England certain privileges for a limited period, under certain conditions." The establishment of the legal tender was unquestionably a privilege conferred upon the Bank; and the question was, whether, if the Bill passed with this clause in it, it would not be considered a part of the bargain with the Bank, whatever might be the noble Lord's opinion upon the subject? He maintained that it would, and that Parliament would not have power to repeal it without altering the whole tenor of the Bill, unless they thought proper to commit a breach of faith.

The *Solicitor General* repeated, that as the Chancellor of the Exchequer had declared the legal tender was no part of the bargain with the Bank, Parliament might at any time repeal the clause referring to it without impairing the operation of the rest of the Bill.

Mr. *Matthias Attwood* maintained, that the clause did form part of the bargain with the Bank, and was astonished that any one could doubt the fact. In one of the letters of the noble Lord, the Chancellor of the Exchequer, to the Bank directors, which formed the basis of the Bill, he made use of these words:—"The discouragement given to joint-stock banks of issue, as compared with joint-stock banks not of issue, and the making Bank of England notes a legal tender, must increase the circulation of the Bank of England very considerably, while the relieving bills drawn for short dates from the usury laws will facilitate the operations of the Bank in times of difficulty to a very great degree. The Government, therefore, think that they have a right to demand for the public a liberal compensation." It was quite clear from this, that the establishment of the legal tender was part of the bargain, that it was considered advantageous to the Bank, and that the Bank were to pay for it. The hon. and learned Solicitor General was not correct in stating that this was a question to which only Parliament and the public were parties; there was a third party—the Bank, who paid a valuable consideration for the clause.

Mr. *Herries* said, that the hon. and learned Solicitor-General now spoke of this as not being part of the compact with the Bank—the noble Lord had intimated the same thing—the House, therefore, knew that it was not part of the bargain; but all the world did not know it; they thought perhaps the reverse; and what he required was, to set the question clear from all doubts whatever. Now, the best mode of doing that, was to put the clause out of the Bill, and leave the matter of the legal tender to be the subject of a separate legislation. It was true, that both the Solicitor General and the noble Lord said, that the question of the legal tender was not a part of the bargain with the Bank; but where was the record of that declaration? It should appear in some authenticated form, that such was the fact. The best way of making that appear was, to leave the matter out of the present Bill, which was founded on the bargain with the Bank, and introduce it in another Bill, which was avowedly unconnected with that bargain.

Mr. *Hardy* believed, that the Bank would consider it a gross breach of their privileges, accorded them by a bargain with the Government, if this clause should be repealed within the ten years. If the matter was not necessarily connected with the bargain, why introduce it?

The *Solicitor General* said, that if the hon. Member would look to former Acts of a similar kind, he would find isolated subjects introduced into them. Such was the case with the Act 5 and 6 of William and Mary, and 8 and 9 William 3rd.

Mr. *Hume* remarked, that the noble Lord had treated the clause as advantageous to the Bank. If the Bank considered it to be so, would it give the clause up? He should like to have the opinion of a Bank Director upon this subject. There were two Bank Directors in the House. He should like to know whether they thought this matter of the legal tender a part of the bargain with the Bank?

Lord *Althorp* thought there was some mistake as to the effect of the correspondence between the Government and the Bank. His propositions were these:—

1. That the Charter be renewed for ten years from 1st of August, 1834.

2. That no bank be established within twenty-five miles of London, exceeding the number of six partners, but that banks established at a greater distance, whatever may be the number of their partners, may issue notes and bills payable in London.

3. That the Bank of England notes be a legal tender, except by the Bank of England in London and at the branches.

4. That bills and promissory notes, not having more than three months to run before due, be exempted from the usury-laws.

5. That the Bank accounts (similar to the consecutive account from 1778) be published weekly in the *Gazette*, in the state in which they were three months previous to the day of publication.

The Court of Directors in reference to them said—

I. The Court are desirous of confining their observations to those points which appear to bear directly upon the future action and interest of the Bank. They trust, therefore, that, in any remarks which they may find themselves called upon to offer, the Chancellor of the Exchequer will give them credit for that intention, and believe, that they have no desire unnecessarily to obtrude their opinions, with respect to any general principle which his Majesty's Ministers may think proper to propose for a due regulation of the currency of the country.

II. The Court propose to limit themselves to two general heads,—

1st. Such of the propositions as immediately affect the public utility of the Bank.

2nd. The compensation proposed to be required from the Bank for a renewal of the exclusive privileges.

The first embraces five points:—

1. The period for which a renewal is to be granted.

2. The distance surrounding the metropolis, within which the exclusive privileges are to be preserved.

3. The Directors annually retiring to be immediately re-eligible.

4. The amount of capital now held by Government which it is proposed to reduce.

5. A weekly publication in the *Gazette* of the accounts of the Bank.

The Bank, therefore, did not refer to the legal tender clause; and the third article propounded by the Government to the Bank, that Bank-notes should be a legal tender, was not one of the points on which the Bank had made its stipulations, and therefore it was not to be considered as one of the parts of the bargain.

Mr. Alderman *Thompson* said, that he did not think the Bank Directors attached much importance to this clause. He did not know that, as a body, they had an opinion one way or the other upon it. At the same time, he admitted it to be true, that in the course of the correspondence with the Bank, the noble Lord had said, that the making Bank notes a legal tender was one of the advantages for which the Bank ought to make a considerable reduction in favour of the Government in some other way. On that question of advantage, there was possibly a considerable difference of opinion among the Bank Directors. The matter was viewed rather as a question of State policy than otherwise, and one which they thought the Parliament ought to dispose of as it pleased. In what he was about to say, he begged to have it understood that he was speaking his own sentiments, and not those of the Court of Directors, who might or might not agree with his opinions, and who ought not in the least degree to be bound by them. For himself, then, he said, speaking as a Member of Parliament, and not as a Bank Director, that he should be sorry to see this clause for making notes a legal tender abrogated. Its effect, as far as any advantage to the Bank was concerned, had been modified by other clauses in the Bill; but he thought, as a matter of public advantage, that Bank notes should be a legal tender. Such a measure would offer the best security to public credit in times of difficulty, and of commercial panic. In such times, it was well known that provincial banks were in a state of discredit, and men proceeded to London to realize their securities, and convert them into gold. When that was done to a large extent, it must be highly inconvenient to the Bank, especially when the exchanges were at the same time against this country. By adopting this clause great advantage would be secured to the country, and it should, therefore, have his most cordial support.

Sir *John Rae Reid* was understood to say, he thought the clause would be very beneficial to the public, but of no great value to the Bank of England.

Mr. *Thomas Attwood* hoped the Committee would substitute the date of the Ist of October, 1833," for the 1st of August, 1834, in the clause as that would enable them to get over the winter better. The hon. Member moved an Amendment to that effect.

Mr. *Herries* thought that the date which Government proposed to insert in the clause furnished an additional reason for omitting it, because before it would come into operation another measure would have passed the House for regulating private banking.

Lord *Althorp* said, he would shortly state the reasons which induced him to desire to have the clause inserted in the present Bill, rather than in that which was to be introduced next Session. The clause did not affect country bankers in any material degree, but it would operate as a security to the Bank of England, though not as a pecuniary advantage, and for these reasons he thought it should be comprised in the measure relating to the Bank rather than in that hereafter to be introduced relative to country banking.

Mr. *Warburton* said, that the two Bank Directors who had addressed the Committee had given their opinions as to the general policy of the clause, but upon the precise point as to which the Committee most wanted information—namely, whether the directors considered it to stand on the same footing as the other clauses of the Bill—those hon. Directors had been perfectly silent. If it should turn out at the end of two years, as he believed it would, that that clause conferred great pecuniary advantage on the Bank, would they or would they not hold that it was part of the bargain? The object of the clause was to prevent a run upon the Bank for gold, and therefore they might keep a less quantity of bullion in their coffers than they were compelled to do at present, and thus they would derive great pecuniary advantage. If the clause was to be retained in the Bill, it would be necessary to introduce some words to explain that it did not form part of the bargain with the Bank.

Mr. Alderman *Thompson* said, it was impossible for him to state what the opinion of the Bank Directors would be under the circumstances suggested by the hon. Member.

Amendment negatived.

Mr. *Poulett Scrope* proposed to insert the words "until Parliament shall otherwise provide," in order to make it quite clear that Parliament would be at liberty to repeal the clause whenever they thought proper.

Lord *Althorp* said, he should feel it his duty to object to the Amendment, but after some further conversation, the noble Lord added, that he would not then insert the words, but consider the question further.

Sir *Thomas Freemantle* thought, that the clause as it stood was not sufficiently explicit, and that by the issuing of five-guinea for 5*l.* notes, its whole effect might be neutralized. He therefore proposed to alter the clause by leaving out the words " above 5*l.*" and inserting " all sums less than 10*l.*"

Mr. Alderman *Thompson* observed, that no five-guinea notes could be issued, unless under the liability of paying the same stamp duty as 10*l.* notes.

Mr. *Baring* thought the Bill should be left as it was.

Mr. *George Wood* said, that the tendency of the clause would be to diminish the gold in circulation. It would enable country bankers to get Bank-notes at a smaller cost than gold. He was opposed to the whole clause.

Mr. *Barnard* thought the clause, as it stood, could not be evaded, unless by the Bank of England issuing five-guinea notes, which he hoped the Bank would not issue.

Mr. *Wolryche Whitmore* said, that the facility the clause would give country bankers to get notes whenever they wanted them, though they could not get gold, would prevent them from keeping any gold, and would tend to drain the country of gold.

Mr. *Philip Howard* was opposed to the whole clause, making the Bank of England notes a legal tender, which would not be of any real advantage in cases of political or commercial panic, and might tend to discredit the Bank of England. He contended, that the currency had, by the measure of 1819, been placed on a solid and safe basis. The temporary and partial suffering which that measure might have occasioned, made him the more anxious not to forego the advantages or forfeit the security it afforded. However advisable it might be on other subjects to enter upon a well-considered course of Reform and change; in what regarded the currency (a question of all others the most delicate) a Government could scarcely be too conservative, or look with too jealous an eye upon innovations. The burthen of proof should certainly lie with those who recommended this hazardous experiment — and he had heard nothing satisfactory to justify the measure.

Sir Thomas Freemantle altered his Amendment to the words " 10*l.* and upwards," which Amendment was negatived.

The Committee divided on the Question, that the Clause be filled up with the words 5*l.* and upwards: Ayes 50; Noes 110;—Majority 60.

On the Question, that the Clause stand part of the Bill,

Mr. *Herries* opposed the clause as a departure from all sound principles. If the State made any species of paper a legal tender, it was bound to guarantee that paper. But nothing of the kind was done by this clause.

Mr. *Baring* supported the clause. He was surprised to hear the opinions of his right hon. friend. The Bank of England notes were not a legal tender at the Bank, there gold only was a legal tender.

Mr. *Warburton* thought, that the clause altogether would interfere with the performance of contracts.

The *Solicitor General* said, that the refusal to accept the Bank-note being a legal tender would merely place the party objecting in the same situation as if he had refused sovereigns. The debt would remain the same.

Mr. *Hume* wished to know whether a special contract to be paid in gold would oblige the party to pay in gold, and not in notes?

The *Solicitor General* merely repeated his former statement, that the party paying might tender the notes, but on the refusal of their acceptance the debt would still remain.

Mr. *Forster* moved the insertion of the following words:—" Provided always that every promissory note, payable to bearer on demand, which shall be issued by any banker, corporation, or co-partnership, for a less sum than 20*l.*, shall be payable in coin at the place where issued, as is by law now directed."

Mr. *Poulett Thomson* said, that the proviso of the hon. Member was, in effect, disposed of already by the last decision of the Committee. The proposition of the hon. Baronet was, to raise the amount to 10*l.*, and the hon. Member wished to increase it to 20*l.* It was, therefore, unnecessary for him to discuss it.

Mr. *Forster* observed, that the hon. Baronet's proposition was general—his Amendment was confined to country bankers.

Amendment negatived.

Mr. *Clay* objected to the clause. The noble Lord had assigned no reason for this alteration, nor shown the necessity of any change at all. The ostensible object was to prevent a drain upon the Bank, similar to that of 1825; but such a drain could never occur again. The only effect of the measure would be to prevent a drain produced by a distrust of the country bankers; but this was unnecessary, for as long as the Bank preserved its credit, that would be a sufficient protection to its notes without any law.

Lord *Althorp* said, that if he could expect that this measure would produce a depreciation of the currency, he should have acted contrary to the principles he had professed by introducing it; but he was confident it would lead to no depreciation. He had given his reasons for the measure when he opened it to the House, and had stated, over and over again, that in case of a commercial panic, it would prevent a drain upon the Bank. If the country bankers knew that their customers might refuse to take Bank of England notes, it would be their duty to provide specie, even beyond what the necessity of the case required; and the Legislature was bound to give protection to the Bank of England.

Mr. *Baring* approved of the principle of the clause. If any one supposed, that it was introduced with a view of promoting a depreciation of the currency, he never made a greater mistake; its effect would rather be to obviate such a depreciation. This part of the measure had had the approbation of nine out of ten of the London and country bankers, and of every London banker who had been examined before the Committee. The clause would have no effect except during a panic.

Mr. *Matthias Attwood* said, that the effect of this clause would be to produce depreciation, though it might not be so intended: when the Bank Restriction Act was passed, the same horror of depreciation was professed.

The Committee then divided on the Question, that the Clause stand part of the Bill: Ayes 87; Noes 48—Majority 39.

List of the NOES.

ENGLAND.

Aglionby, H. A.
Bewes, T.
Blackstone, W. S.
Bish, Thomas
Bolling, William
Briggs, R.
Brocklehurst, J.
Brotherton, Joseph
Egerton, W. T.
Ewart, William
Faithfull, George
Fielden, John
Forster, C. J.
Gladstone, W. E.
Gladstone, T.
Godson, R.
Grote, George
Halcombe, John
Hall, Benjamin
Herries, Rt. Hn. J. C.
Howard, Philip
Hughes, Hughes
Hume, Joseph
Lennard, T. B.
Martin, John
Nichol, John
Ord, W. H.
Philips, Mark
Potter, R.
Sandon, Lord
Shepherd, T.
Strutt, E.
Tancred, H. W.
Thicknesse, R.
Walter, John
Warburton, Henry
Whitmore, W. W.
Williams, W. C.
Wilks, John
Willoughby, Sir H.
Wood, G. W.

IRELAND.

Baldwin, Dr.
Blake, M. J.
Hayes, Sir E.
Jephson, C. D. O.
O'Dwyer, A. C.
O'Reilly, W.
Ruthven, E. S.
Ruthven, E.
Vigors, N. C.

TELLER.

Clay, William

Paired off.

AGAINST.	FOR.
Guest, J. J.	Byng, Sir J.

House resumed, Committee to sit again.

HOUSE OF COMMONS,

Saturday, August 10, 1833.

MINUTES.] Papers ordered. On the Motion of Mr. WARBURTON, a Return of the Number of Tithe Cases entered for Trial in the Court of Exchequer in the three years, beginning August 10th, 1830, to August 10th, 1833.

Bill. Read a third time:—Grand Juries (Ireland).

BANK OF ENGLAND CHARTER.] On the Motion of Lord Althorp, the House went into Committee on the Bank Charter Bill.

The Chairman read Clause 6th, that Bills not having more than three months to run should not be subject to the usury laws.

Mr. *Grote* apprehended, that as the clause then stood, it would only extend to England. He was of opinion, that if it was good for that country, it should also be extended to Scotland and Ireland.

Lord *Althorp* stated, that there was nothing in the Bill to restrict its provisions to England.

The *Solicitor General* apprehended, that it was quite clear, that the clause applied to the whole of the United Kingdom. When it was intended, that any measure should apply only to one part of the empire, it was usual to say, "to that part of the United Kingdom called so and so," but in the clause before the House there was no such restriction, and therefore it applied to the whole empire. With the consent, however, of the noble Lord, the Chancellor of the Exchequer, he would introduce words that would clearly express the meaning of the clause, and so save any dispute.

Mr. *Blamire* could not see, that there was any necessity for at all interfering with the usury laws. He was aware, that many great and good men had advocated the total abolition of them, but he thought they were more interested for the wealthy borrower than the poor one. He was of opinion, that considerable disadvantage would attend the removal even of part of them. The measure might be of service in times of panic, but still that would not counterbalance the evil at other times. He should be disposed to bow to the opinion of his noble friend, the Chancellor of the Exchequer, but he was compelled to confess, that he had heard no reason sufficient to induce him to change his opinion.

Lord *Althorp* said, he did not expect to have been called upon to discuss the question of the Usury-laws, nor would he; he would argue simply the particular question before the House. He was of opinion, that the present measure would greatly benefit the poorer classes by adding to the security of the Bank. He did not fear, that the smaller class of tradesmen would find themselves pressed by a demand for an exorbitant rate of interest; the competition in the money-market would always prevent that evil. Supposing the ordinary rate of interest on good security were five per cent, the only effect of the present proposition would be, that persons unable to give perfectly good security must give somewhat more interest for a loan. Supposing a man commencing business without a capital, and not at the time able to give the very best security; by giving a trifle more of interest he might become possessed of a capital, which in time would enable him to live comfortably and accumulate property. The objections to the repeal of the Usury-laws had generally been made by the landed interest, but the capital employed in mortgages was very different from that which was employed in discounting bills, therefore they had nothing to complain of; indeed, he did not think they would have even though the Usury-laws were altogether repealed.

Mr. *Thicknesse* concurred in the observations of the hon. member for Cumberland, and was of opinion, that this partial repeal of the Usury-laws would place the small tradesman in a much worse situation than that in which he was at present. By this clause a small tradesman would not be able to get a bill discounted without paying any exorbitant rate of interest, that might be demanded of him. The clause was one of the most important in the Bill, and he considered it would inflict a great injury on a class of persons upon whom, he contended, the commercial prosperity of the country greatly depended.

Mr. Alderman *Thompson* supported the clause. He knew some mercantile houses that paid only two per cent for accommodation, while others paid four per cent; that was the natural result of large capital and high credit over small capital and lower credit. He thought it might happen, though very seldom, that a person of small capital would be obliged to pay six or seven per cent, for the accommodation; but that would be a great convenience, and would be much preferable to a person being reduced to bankruptcy. He knew, in 1825, more than 1,200 tradesmen in the metropolis became bankrupt, although they were solvent, but it was because they could not get their bills discounted, and there were many persons who would have taken their bills if they could have charged six or seven per cent discount. He knew one instance, which he would relate. A person came to London, and wanted 10,000*l.*, but not being able to sell out his stock and convert it into Bank-notes until after three o'clock in the afternoon of that day, he paid another person a handsome sum for the accommodation of the Bank-notes for the few hours that intervened; he thus saved his character and his credit. That was a strong circumstance to show the necessity of the banking and trading interests having some such protection as this clause gave them.

Mr. *Mark Philips* was of opinion, that it would, under some circumstances, be greatly to a person's advantage to pay seven, eight, or even ten per cent for the advance of money. He should, therefore, support the clause. His only objection to the clause was, that it did not go far enough. He could have wished that the period of three months were extended, for the clause gave a preference to bills at three months over all longer bills. In some districts, and in some trades, it was customary to draw bills at six months, and all those would be excluded from the operation of this clause. He was gratified, that a change in the system had, at length, been made, but he regretted, that it had not been more extensive.

Mr. *Thomas Attwood* concurred in the opinion of the hon. Member who spoke last, that the clause should have gone further, and he suggested to the noble Lord (Lord Althorp) to include bills of four months' date. That would be of great importance to small tradesmen and small manufacturers, and would open the gates of accommodation to them, which had until now been almost closed. As to whether the discount might be six or seven per cent, that was a point of no moment, for, as far as he knew, a person requiring assistance never inquired what discount he had to pay. Indeed, in some instances, even twenty per cent would be cheap if it saved a man from ruin. The clause would allow large tradesmen to obtain accommodation on low terms, while it would give protection and accommodation to the smaller classes.

Clause read and agreed to.

Clause 7th directing the Bank accounts to be transmitted weekly to the Chancellor of the Exchequer, and published quarterly in the *Gazette*, was then read.

Mr. *Cayley* thought it was fully understood, that an irresponsible power was an evil thing. It might be said, that the Bank was responsible to its proprietors, but that was not the public. And then it was argued, that if the Government had the control of the circulation, they were only nominally responsible. That was not true—for though not responsible with their lives, they were with their places, which the public, through their Representatives, might take from them. But this power of the Bank of England was wholly independent for ten or twenty years, and might be exerted altogether opposite to the interest of the public. It was like decennial or vigintennial Parliaments. It would not do to say, that the Government had a virtual control—the destinies and happiness of this country should be left to no hazards and uncertainties. The Bank had the power to commit abuse, and past experience had shown that it had been abused. Let them consider what the materials were upon which the Bank of England had to operate. Why, neither more nor less than upon the whole property of the country—upon the millions of some, and the sixpences of all. The public, in the hands of the Bank, were as the mouse in the claws of the cat, or the fish in a stewpan. The power of the Bank could be exercised to throw labour out of employment; it could be exercised to bring it into employment, by expanding the currency. By giving better prices and higher profits it secured better wages, it alleviated distress, and subdued the discontent. By a contraction of the amount of the circulation, it could undo all this happy state of things; and, by a continuance of such a system, it could ripen distress into discontent, and hurry discontent into rebellion; it might end in an entire revolution, not only of Government, but of property. The truth was, the Bank had more power than all the Legislature put together, not ostensibly, but in fact. Whatever laws Parliament might pass, unless the Bank gave prosperity, and repaired the soil, good seed could not take root and flourish. This was a power which the King of this country might in vain struggle to obtain. In whose hands was it placed? In those of a company of private merchants, who had it in their power to reduce the currency when they wanted to buy merchandise cheap, and to increase it when they wanted to sell it dear—or, if they did not do it for themselves, they had connexions and friends for whom they might do it. The hon. Member here read the following extract from Mr. Gurney's evidence taken before the Committee, in support of his argument:—"Have you observed considerable fluctuations at different times in the amount of the circulating medium? Yes, I have observed there have been considerable fluctuations, and considerable effect produced by those fluctuations. To what did you attribute those fluctuations? Partly to the management of the Bank itself, and partly to causes operating upon them, out of their own control." Mr. Dyer also had said in his evidence, "The Bank of England has, by its expansion and contraction of the circulation, induced an expansion and contraction following close upon its footsteps to a ruinous extent." The hon. Member next quoted the evidence of Burt: "Then you mean, that commercial transactions are deranged, and the prices disturbed, by the issues of the Bank of England? I mean, that I consider the most judicious and best-laid schemes are frequently defeated by what takes place in the issues of the Bank of England. There is more real speculation now in general trade than in 1825; because, the prices being uncertain, the speculator naturally forms the best opinion he can with regard to what will take place; what the price of the commodity is at that time he knows, and he forms the best opinion he can as to what the price will be some two or three months hence; and there is a great uncertainty upon that point, in consequence of the fluctuation of paper by the Bank of England." He said, therefore, that the reputation of the Bank was not sufficient guarantee against its again acting thus. It had the power, and could do evil, and it was sufficient for the House, as legislators, to know, that it might do wrong to authorise measures to prevent the mischief. They had no right to speculate on remote possibilities of virtue. The predominance of the common vice having an interest, altogether precluded them from making, and even made it criminal in them to legislate with capricious exception. Was not the brightest and wisest said also to be the meanest of mankind? and was the confidence refused to one like him to be granted to the Governor of the Bank of England? Did they dare desert the proprietors? and if they did not, was the public to trust them? And if they did desert the proprietors, to whom they had sworn allegiance, how would they expect confidence from the public, to whom they had not sworn allegiance, and to whom they were in no wise responsible? They could not serve two masters, and they had shown in this bargain which they were most inclined to serve. He did not believe, that any Legislature dreamed of intrusting this power to private hands in any other country. He meant to propose an Amendment not only because the Bank Directors were irresponsible to the public—not only because they might abuse their power—but because the system had been most fluctuating and injurious under their control; and he now proceeded to adduce instances of it. In 1825, our monied and trading concerns were as much without a ruler, we were as much at variance, and without a system of government, as if we had been without all the three branches of the Legislature. There were times when the money-market required a dictator—when it required the strongest and most resolute powers of Government, and just when the vessel required the most management, they left it to the mercy of the winds and waves. Accommodation gave relief at last, as Exchequer-bills in 1793 did. The mere virtual control of the Chancellor of the Exchequer, however, would not be sufficient. The Bank having the control of the entire circulation of the country, could at will influence all fluctuations, and it was too much to give to them an unlimited control, as by this clause would be vested in them, over the entire property of the country. The hon. Member concluded by moving, as an Amendment, the insertion in line 34, after "for the time being," of the words "who, if occasion shall require, shall, in respect of the amount of issue, be at liberty to call for the legislative advice and interference of Parliament."

Mr. *Grote* thought that the Amendment of the hon. Member ought not to be adopted unless special grounds were shown for it. If it invested Government with the power of controlling the issues of the Bank, the responsibility of the Bank would, *pro tanto*, be null and void.

Lord *Althorp* thought the hon. Member had mistaken the security which the clause gave; it would give no additional security, he admitted, but would merely give information to the Chancellor of the Exchequer. The only question, therefore, was, whether this would be the best mode of giving security? If it gave the Chancellor of the Exchequer a complete control over the Bank, it might be productive of mischievous consequences.

Mr. *Warburton* objected to the Amendment, on the ground that it would conceal that information from the public which it was entitled to have. The more immediately information was given to the public, the better the Bank would be kept in order.

Mr. *Grote*, adverting to the occurrences in the year 1825, observed, that if Government had possessed any control at that time over the Bank Directors, matters, instead of being much better, would have been much worse.

Mr. Alderman *Thompson* expressed his surprise that any one could argue that in

1825, the Bank Directors had acted without principle, when the first authorities in the country had declared, in the most unequivocal terms, their approbation of the conduct of the Bank Directors on that occasion. The fact was, that, regardless of their own interest, they had looked only at the broad question of the commercial credit of the country, and had effectually put a stop to the evil by which it was threatened.

Amendment negatived.

Mr. *Strutt* moved an Amendment, to the effect of requiring not the average of the quarter's issues of the Bank, but the publication in detail, at the end of the quarter, of the weekly accounts rendered to the Government by the Bank.

Lord *Althorp* said, that there were several modes in which this publication might take place, and he must say, he thought that chosen by the hon. Gentleman the worst which could have been chosen. The proposition contained in the Bill was not exactly that of which he individually approved, but it was thought the best by his colleagues, and he had yielded the point to them. He had, in the early part of his correspondence with the Bank Directors, recommended the publication of their bullion accounts one week under the other, at the expiration of three months, shewing the state in which they had been three months previously; but the objection made to that was, that if the accounts were published in that manner, the public would be likely to imagine that the state of the Bank was the same at the moment of publication as it had been when those accounts were made up; and, therefore, the publication would rather mislead than inform the public. He then made a proposition for the weekly publication of bullion accounts, with a view to show in what state those accounts had been three months previous to each weekly day of publication; but it was said, that this would sometimes be injurious to the public, as it would be likely to create a mistaken impression of the state of the public accounts, for when the demand for bullion, arising from particular circumstances, became great, the public would see the demand, but not understanding the reasons for it, might be apt to draw erroneous inferences, from which some very mischievous consequences might arise. Great changes of this sort had taken place in the early part of this year. The exchanges were then in our favour; but circumstances having given a large and increased value to gold in Paris, a great capitalist had drawn 1,000,000*l.* from the Bank, and sent it over to France. Now, had the accounts been published as he at first proposed, the public would have seen that bullion to the amount of 1,000,000*l.* had been sent out of the country, but, not understanding the causes, might have drawn very mistaken consequences from that fact. The principles on which the matter had taken place could not be explained in the accounts. The result, therefore, was, that it would be the best plan to publish accounts of the averages of every quarter, and that he had adopted as the most advisable course. Such a publication would enable the public to ascertain, whether the Bank acted upon sound principles, as completely as it could be ascertained in any way whatever; for that reason he had adopted that course, and framed the clause as it now stood.

Mr. *Strutt* said, that his object was, to get a complete statement, and he should prefer the weekly publication of the accounts to the averages of the quarter.

Mr. *Warburton* thought, that the arguments of the noble Lord against this peculiar mode of publication might have been used on behalf of any government which conducted its transactions in secret. Persons arguing in that mode fastened on a particular incident, gave it as an instance of inconvenience, and then formed their general rule upon it. That sort of argument would go to put an end to all publication whatever, and thus, from the fear of a particular inconvenience, they were to put an end to the steady control of public opinion. The result would be, that the public would find themselves kept in almost the same state of ignorance as before. No information would be furnished to the banks of issue all over the country, and yet they were continually finding fault with those banks for not regulating their issues according to the state of the foreign exchanges. The Government should give them the requisite knowledge, and then, no doubt, they would shape their conduct by it.

Mr. *Poulett Scrope* said, that the publication of these accounts, was the only security that the public had for the good conduct of the Bank. The noble Lord had himself formerly declared, that the monopoly placed in the hands of the Bank a power which they had a direct pecuniary interest to abuse. The only way to check the abuse was to give this publication. The average of a quarter would not give the proper information. In the course of the quarter there might be a difference of 20,000,000*l.* or 30,000,000*l.*, and yet the average at the close be the same as before. The body of traders would not be able to form a correct opinion of the state of the circulating medium. This was the first grand objection to the present plan. The next was, that it would prevent the public from exercising, by the force of opinion, a proper control over the operations of the Bank. By the publication consisting of quarterly averages only, the Directors of the Bank would be the persons alone acquainted with the real state of the issues during the intervals; and, although he did not, of course, mean to say, that those gentlemen would, knowingly, make any improper use of the exclusive knowledge thus unavoidably gained, yet when their intimate connexion with the trade of the country was considered, it was, he thought, almost impossible that the exclusive information to which he referred, would not in some measure influence their private transactions. For that reason, if for no other, publication ought to be constant and instantaneous. But publication would give to the public a moral control over the Bank. That was a right which the public were entitled to, and in order to give them that security, the publication should be full, complete, and immediate. He trusted that the noble Lord would again come back to the first proposition he made to the Bank—namely, weekly publication.

Lord *Althorp* denied, that the Bank Directors employed the knowledge which their situation gave them in their own private affairs; and, therefore, in discussing this Bill, he hoped hon. Members would refrain altogether from throwing out insinuations on their conduct. The object of the clause was, to frame the best mode of bringing under the control of public opinion the general affairs of the Bank; and the question was, how that could be best attained, and whether it was by a publication such as he had proposed, or whether by a more frequent publication? The publication he proposed, would give every information up to the period at which it was made. At the commencement of a quarter the issues of the Bank were considerably increased, and at the close of a quarter they were generally much below what they had been at its commencement. But if the public could merely see the weekly accounts, and observe in one week that the issues were very considerable, and, in another week, at a short period afterwards, that the issues had very much diminished, they would think that these issues had been imprudently extended at one time, and contracted at another: yet this would, under all the circumstances, be a mistaken conclusion. He was aware, that, after a time, they would become accustomed to these things; but they would not be able to understand them otherwise than by getting an average of the whole quarter. As to the fluctuation of 20,000,000*l.* or 30,000,000*l.* in a quarter, it was like the issue of 1,600,000,000*l.* once spoken of by the hon. member for Birmingham—it was a thing not to be argued about. No such sudden changes to that amount ever took place. He thought that by the publication he proposed, there would be a complete mode of judging whether the Bank acted properly or not, and that was the whole object that any one had in view. He did not think there would be any danger of the Bank abusing the power it would possess.

Mr. *Warburton* suggested, that the publication monthly, of the three preceding months, by which there would be twelve averages in the year, would afford a great deal more information, and give greater security to the public.

Mr. *Grote* admitted the candid manner in which the noble Lord had treated this question; but what the noble Lord proposed was not the best mode of furnishing the required knowledge to the public. There should, at least, be a continuous series of the variations in the Bank circulation, and these ought to be laid before the public oftener than four times a-year, though the fear of danger from erroneous inferences in the public mind, appeared to him altogether chimerical. In his opinion, there ought to be a series of weekly accounts published in the way originally proposed by the noble Lord, carried up to three months anterior to the date of publication. The public would then be able to judge whether the fluctuations in the currency were too great. If he followed his own views, he should wish for a weekly publication in the *Gazette*, immediately after the communication made to the Government. As, however, it was not likely he should be able to get the House to agree to a weekly publication of the Bank accounts, he should, certainly, when the Amendment of the hon. member for Derby was disposed of, move for the sort of publication which the noble Lord had in the first instance recommended. To oppose such a Motion would be to assume that the public were likely to be continually deceived by imaginary evils—an assumption that he did not think warranted.

Mr. Alderman *Thompson* said, that after the explanation of the noble Lord, he had, perhaps, better leave the matter as it stood, but he must say a few words on this, which he deemed a most important question. What was the object they all had in view? It was to enable the public to regulate their transactions, as they would possess the same information as the Directors of the Bank. To that object he was not in the least degree opposed, but he contended that the weekly publication of the bullion accounts of the Bank, instead of giving information, would mislead the public. One instance had already been mentioned by the noble Lord, and it should be recollected that in this publication of the Bank accounts, the Bank would not be able to attach to each item an account of the reasons which had induced the Bank to make the alteration. That would be incurring a responsibility that they were not obliged, nor even called upon, to undertake. Yet, without such a note, the information would rather deceive the public than give them any real knowledge of the transactions of the Bank.

Sir *John Reid* declared, that the only feeling which influenced the Bank directors was the desire to promote the public prosperity, on the increase of which they were perfectly convinced their own depended.

Amendment withdrawn.

Mr. *Grote* moved an Amendment to the effect that accounts should be transmitted weekly to the Chancellor of the Exchequer for the time being, of the amount of bullion issues, deposits, and other securities in the possession of the Bank, according to the terms originally proposed by the noble Lord (Lord Althorp) in his letter to the Bank directors on the 1st of April.

Mr. Alderman *Thompson* opposed the Amendment, for he thought that the Bank of England ought not to be compelled to publish accounts of the deposits made by private individuals, which were not required of other banks.

The Committee divided on Mr. Grote's Amendment—Ayes 20; Noes 41:—Majority 21.

List of the Ayes.

Aglionby, H. A.
Brocklehurst, J.
Dashwood, G. H.
Dykes, F. L.
Ewart, W.
Fitzroy, Lord J.
Gisborne, T.
Hall, B
Hawkins, J. H.
Martin, J.
Philips, M.
Potter, R.
Scrope, P.
Strutt, E.
Todd, J. R.
Torrens, Colonel
Warburton, H.
Wedgwood, J.
Willoughby, Sir H.
Wood, G. W.

TELLER.

Grote, G.

Clause agreed to, as were the Clauses to the 12th.

On Clause 12 being put,

Sir *John Wrottesley* rose, not for the purpose of objecting to the bargain that had been made with the Bank by the Clause, but to draw the attention of the Committee to the particular inconvenience that arose from the length of time which was suffered to elapse before the dividends were made and the Stock Exchange closed. A deal of time was at present taken up in making up the accounts, from the fact of so many fractions of a pound being allowed. No inconvenience would arise from allowing of no fraction lower than 2*s*. This would be the tenth of a pound; and he would suggest as an additional facility in making out the accounts, that a coin should be issued of that value, to be called a Prince. This would be the tenth part of a sovereign; and an arrangement might be made with the Commissioners for the redemption of the national debt to adopt that mode of calculation; and he did not doubt but it would prevent the necessity of the public being put to the inconvenience they now were, by the length of time the Stock Exchange was closed. This would bring us so near to a decimal system, that he should hope to see it lead to a general adoption of that system. Two of the most civilized nations in the world (France and America) had adopted that system; and if England, which might be said to govern commerce, adopted it, there could not be a doubt that it would lead to the most convenient results. He would show the House how near they already were to decimal calculations. If silver decimal money were adopted in the way he suggested, it would only remain to provide for the copper money. Now our copper money was only half its nominal value, so that it was, in fact, a mere token. No harm, then, would be done by declaring that a penny-piece should pass for five farthings. By this means the same number of pieces of coin might be made to exchange for sixpences and shillings, as at present, and a hundred farthings would be made equivalent to a Prince, which as he had already stated, would be the tenth part of a pound sterling. No difficulty could arise to prevent the adoption of this arrangement, for the Crown was enabled by its prerogative to declare that such should be the value of the penny-piece. The plan would be attended with another convenience, which to some gentlemen might appear ridiculous—he meant the convenience of the poor having a proper supply of farthings. At present they were often obliged to give a half-penny for what, if there was a proper proportion of small coin, they would give only a farthing for, being a saving of fifty per cent—a matter of some importance to those whose incomes might only be 4*s*. a-week.

Mr. Alderman *Thompson* said, that the statement made by his hon. friend had taken him by surprise, so that he could give no answer to the suggestion he had made, nor, indeed, did he know that he should have been able to have given one, even had he been aware of that statement. The period during which Consols were now closed was about six weeks; but he did not think that that period would appear too long when he came to state the number of transfers which took place at the Bank in the course of one year, and the other business which it had to arrange. By a paper which he held in his hand, it appeared that the number of transfers at the Bank in one year was 286,572, and the amount of stock transferred was 304,218,791*l*. The number of new accounts opened in the same period was 34,656. The daily average of transfers for the year was 1,069. The dividend warrants paid amounted daily to 279,751*l*., of which 87,176*l*., were received by persons whose dividends amounted to less than 5*l*. half-yearly. He was certain that the House would think that the period taken to arrange these accounts, with the accuracy for which he thought he might take credit on behalf of the Bank, could not by any plan be materially reduced.

The *Solicitor General*, in bringing up an additional Clause by way of rider, said, it had been prepared to put beyond all doubt the right to establish banks of deposits within the metropolis, and sixty-five miles round it. The Committee had been repeatedly informed that the basis of the contract between the Bank and the Chancellor of the Exchequer was the present state—that is, whatever monopoly they were entitled to they were still to enjoy, but nothing beyond it. Now, a question had been mooted whether the pre-existing monopolies entitled them to complain of the establishment of banks of deposit within the limits which he had described; and it appeared to him, after a diligent examination into all the cases, that there was no pretence for saying that the establishment of such banks was an encroachment on the monopoly of the Bank of England. A notion to the contrary had prevailed in some quarters, but, as it seemed to him, without the slightest foundation. He had looked into the Act, and he thought that no rational doubt could be entertained on the subject, and whatever doubt was entertained ought now to be cleared up, because it would be most discreditable to Government and the House to pass a law which was professedly equivocal, and thus leave it to Courts of Justice to put a construction on what they allowed to be doubtful. By the Act 6 of William and Mary, the Bank of England was established as a bank of issue. Now, in that Act there was nothing whatever to give it a monopoly, but there was in the 8th and 9th of William 3rd., which contained very general words, and on which, taken by themselves, without the intention of the Legislature, and without the context, it might be contended that, no private bank now existing in any part of the kingdom could be tolerated, because that Act expressly said. "That no other bank or any other corporation, society, or partnership, in the nature of a bank, shall be erected or established, permitted, tolerated, countenanced, or allowed, by Parliament, within this kingdom." But that must mean a bank *ejusdem generis*—such a bank, that was to say, as the Bank of England; and that construction had been put on it by all subsequent Acts, for the 7th of Anne, c. 62, recites, "That whereas corporations of great numbers of persons had united together, and presumed to borrow large sums of money upon Bills." The enactment of the laws was, "That it shall not be lawful for any corporation other than the Bank of England, or for other persons united in partnership, exceeding the number of six, in England, to borrow or take up any sum or sums of money on their note or notes, payable on demand, at any less time than six months from the borrowing thereof." This showed that the object was, that the monopoly should be confined to the issue of paper money. These words completely prohibited any other bank consisting of more than six persons from drawing, accepting, or endorsing Bills of Exchange at any date less than six months, or from becoming parties to any promissory notes, payable on demand. These words were repeated in every subsequent Act of Parliament passed for the maintenance of the monopoly, and it was upon those words alone that the monopoly rested. The words were repeated in the 15th of George 2nd, c. 13, s. 35; in the 21st of George 3rd, c. 62, s. 12; the 39th and 40th, of George 3rd, c. 28—the last Act which was passed for the maintenance of this monopoly. Banks of deposit were lawful at common law, and therefore it rested with those who said that it was forbidden to establish such banks of deposit, to show by what Act they were forbidden. It was clear, that the words of these Acts did not prohibit banks of deposit; the words being merely that they shall not "borrow, take-up, or owe," upon any paper, &c. Such were the opinions he entertained upon the subject, and such were the opinions of eminent men of the profession to which he had the honour to belong. He thought, therefore, that the Committee could have no difficulty in agreeing to the Clause, which declared what should be the law. The learned Gentleman read the following Clause:—"Be it therefore enacted, and declared, that any body corporate, or politic, or society, or partnership, although consisting of more than six persons, may carry on the trade or business of banking in London, or within sixty-five miles thereof, provided that such body corporate, or politic, or society, or partnership, do not borrow, owe, or take-up, any sum or sums of money on their bills or notes payable on demand, or at any less time than six months from the borrowing thereof." The Committee would observe, that the words constituting the monopoly of the Bank of England were clearly recognized. Under this declaration any bank of deposit might be established in the metropolis, or within sixty-five miles of it, so that it was not a bank of issue.

Mr. *Gisborne* objected to the Clause, and contended that while now the country bankers were virtually drawers of bills contrary to the provisions of this Clause on a very large scale, the effect of the adoption of the Clause would be entirely to put a stop to their business; for those banks would not be able to go on unless they had the power to draw bills to be accepted by their agents in town. He hoped that the Committee would take out from the Clause those words which would have the effect of preventing the joint-stock banks from doing business in the same manner as other private banks.

Mr. Alderman *Thompson* said, it was impossible for him to allow this Clause to pass without making some observations upon it. According to the statements of the learned Solicitor General, it had been introduced for the purpose of making that clear which was admitted to be matter of doubt. He had every possible respect for the legal opinion of his learned friend, but he must be allowed to state, that there were lawyers of great eminence who entirely disagreed with that learned Gentleman as to the right of establishing banks of deposit in London, or within sixty-five miles of it, with more than six partners. He had always understood that Parliament legislated for the purpose of settling disputed questions; and when conflicting judgments had been given upon points by Courts of Justice, he had a right to contend, that the interpretation he had put upon the law, which was different from that of the learned Solicitor General, was the right one, because it had never been questioned in a Court of Justice, and had been universally acknowledged and acted upon by mercantile men. He thought upon this, as upon several other occasions, the noble Lord ought to have been satisfied with proposing one general Clause, reserving to the Bank those rights which it had hitherto enjoyed under the existing state of the law. The noble Lord had stated, no doubt with great sincerity, that he had no intention of defrauding the Bank of any privileges which it at present enjoyed. The introduction, however, of this Clause would have that effect. With respect to the proposition of the hon. member for Derbyshire, it would amount to this —that the joint-stock banking companies now established in the distant provinces would, in effect, be no more than branches of joint-stock companies established in London, and would destroy that system of private banking which had so long existed, and which was so essentially necessary to forward the great interests of the metropolis.

Lord *Althorp* said, he was not aware that the Bank of England possessed any exclusive privilege as a bank of deposit, and he had always understood that there was nothing to prevent any banks of deposit being established in the Metropolis. Undoubtedly the bargain which he had made with the Bank of England was, that their privileges were not to be diminished; but, in agreeing to that, he declared that he should not feel himself justified in agreeing to any extension of their privileges. He was not aware of any high legal authority, whose opinion was not that the true interpretation of the law was that which the clause set forth. He should feel himself bound to stand by the clause, as it was proposed by the Solicitor General. It was true that he had, in an off-hand way, on being asked a question in the House, told the hon. Gentleman opposite, that he did not intend to propose the establishment of banks of deposit in London consisting of more than six partners, and that was because he thought that such was then the law; but, although he wished the Bank of England to be the sole bank of issue in the Metropolis, he had no intention of giving it any additional privileges injurious to private banks. It appearing, then, to be the law, that banks of deposit might be established in London consisting of more than six partners, he could not object to clearing up what doubt might hang over the law.

Mr. *Clay* held in his hand the opinion of two eminent gentlemen of the legal profession on this subject, and they entirely concurred in the opinion expressed by the Solicitor General, whose authority, however, required no corroboration. The Bank had certainly good reason for wishing to deprive the public of places of deposit so secure as competition would give. In 1807, the amount of private deposits with the Bank was only 1,500,000*l.*, whilst now it was between 5,000,000*l.* and 6,000,000*l.*, arising from a growing feeling, on the part of the public, that a great society must afford better security to depositors than the most respectable private individual. If the question had been delayed, thousands would have come forward to sign the petitions against this measure. It was well understood why they did not come forward. There were many motives actuating them which it was unnecessary to state, but, on his own authority, he would tell the House, that there were thousands connected with that part of London which he represented, second to none either in wealth or respectability, that were most decidedly opposed to the measure.

Mr. *Gisborne* moved a verbal Amendment in the clause of the Solicitor General, the effect of which would be, to alter the date at which the banks in question could accept bills, from six months, as proposed by the clause, to two months. The object of this Amendment was, to give something like freedom to the banking system in London, and the hon. Member contended, that the two-months' bills would not be part of the circulation of the country.

Sir *John Wrottesley* could not let so important a clause pass without making an observation upon it. One thing, however, which surprised him was, that, on so important a question, so comparatively few Members were in attendance. The present Parliament had been elected under the impression that all monopolies should cease. By looking at the public papers, he found that 300 out of the 658 Members were pledged at the hustings to vote for the repeal of all monopolies, more particularly the Bank and East-India; yet now, when they were discussing one of the most important of all, there were not above fifty Members present. In the year 1826, that House was engaged in finding a remedy for the panic that then took place. It did not, however, blame the Bank of England, but most unjustly, in his opinion, threw all the blame on the country bankers. The measures then proposed were hurried through Parliament, and, without inquiry, the greater part of the country banking establishments were most materially injured. The laws of that year stated the insufficiency of the country bankers, and the then Parliament agreed to allow the Bank of England to establish branch banks, but also agreed to the establishment of joint-stock banks, with an unlimited number of partners, within 65 miles of London. Upon that occasion it was with the greatest difficulty that the then Government could persuade the Bank of England to allow joint-stock banks within that distance. As they were found to be good for the country—as they were found to be good for Southampton—he could see no reason why they should not also be established in Winchester. There was scarcely a man of intelligence before the Committee (and there were none but men of intelligence examined), who could give any sufficient answer to the question which he had put to all of them—why the joint-stock banks should not do as well in London as in the country. He had put it to several members of the Committee, but to that question he had not got one satisfactory answer. He was sorry that he saw so few Gentlemen present who had pledged themselves at the hustings to oppose this monopoly, otherwise he would have put them to the test, and acted on his intentions, which were, to move for the total abolition of the monopoly, without taking into consideration the interest of the Bank. As it was most important, however, that the measure should in some way be settled that Session, and as he saw no chance of succeeding in the proposition he should make, he was obliged to waive his opposition to the measure.

Sir *Henry Willoughby* doubted extremely the policy of the clause introduced by the learned Solicitor General. Returns had been presented to the House which proved, that in London the system of banking was not by any means perfect; for, since 1824, 13 bankers had become bankrupt in London, and 36 within the district of 65 miles.

Mr. *Grote* denied that any evidence existed to show, that any practical evil resulted from the London banking system. As to the returns alluded to by the hon. Baronet, he only wondered, from the manner in which they were made out, that instead of 13 there were not 113 who had been bankrupt. Several were included in those returns who were army and navy agents, and who could not, properly speaking, be called bankers. He, therefore, contended, that no practical evil had resulted from the present London banking system.

Lord *Althorp* could not concur in the Motion of the hon. member for Derbyshire (Mr. Gisborne), for altering the date of the operation of the clause, as it was a declaratory one.

The Committee divided on the Amendment; Ayes 16; Noes 49;—Majority 33.

List of the Ayes.

Buller, C.	Romilly, J.
Brocklehurst, J.	Scrope, P.
Clay, Wm.	Strutt, Ed.
Cayley, E. S.	Stanley, E. J.
Dykes, F.	Tancred, H. W.
Ewart, Wm.	Wedgwood, J.
Gisborne, T.	Willoughby, Sir H.
Martin, J.	Wrottesley, Sir J.
Potter, A.	

Clause agreed to.

Mr. Thicknesse moved the insertion of the following clause:—"That the said Governor and Company of the Bank of England shall not, after the 7th January, 1836, invest, or continue invested, in loan to Government, and Government securities, any sum or sums of money which, separately or together, shall in amount exceed their subscribed and surplus capital."

Clause negatived.

Mr. Poulett Scrope moved a clause to the effect, that "the Directors of the Bank of England, being by this Act appointed to a high public trust—that of regulating the entire circulating medium of the Empire—should be directly responsible to the public, and shall be liable henceforward to impeachment by either House of Parliament for any criminal neglect of duty."

Amendment negatived.

House resumed; the Report to be received.

HOUSE OF LORDS,

Monday, August 12, 1833.

Minutes.] Papers ordered. On the Motion of the Earl of Haddington, a Copy of the Warrant for a Poll Election in the Burgh of Dundee, in 1830.

Bills. Read a second time:—Thames Tunnel; Woolwich Lands.

Petitions presented. By the Earl of Rosslyn, from three Places, for Alterations in the Burgh Magistrates (Scotland) Bill.—By the Marquess of Lansdown, from Chard, for a Measure to lessen the Expense of Suing for a Debt under 20*l.*—By the Earl of Harrowby, from Sculcoates, against the Scotch and Irish Vagrants Bill.

Slavery—Petition.] The Duke of *Wellington* presented a Petition from the proprietors of estates in Jamaica, complaining of the losses to which they should be exposed by the Bill in progress in their Lordships' House; and praying to be heard by Counsel against the same. The noble Duke moved, that the petitioners be heard by Counsel.

The Earl of *Ripon* did not think that the delay which an acquiescence in the noble Duke's Motion must occasion would be compensated by any adequate advantage. To the principle of the Bill in question, their Lordships had already agreed, and an opportunity would soon arrive for examining and considering its details.

The Duke of *Wellington* must remonstrate against the haste with which the measure was pressed forward. The other evening he had in vain urged the noble Earl to consent to a delay of twenty-four hours, in consequence of the unavoidable absence from town of a noble friend of his who was deeply interested in the Bill. Under these circumstances he really thought it was not too much to ask that the petitioners, who had so much at stake upon the question, should be heard by Counsel.

The Earl of *Rosslyn* observed, that although the Resolutions, when discussed, did not contain any specific period for the apprenticeships, it was generally understood that that period was to be twelve years. Such was the understanding communicated to the West Indies, and to that understanding it had been believed his Majesty's Government would have adhered. A modification of this part of the Bill had, however, taken place in the House of Commons. It was true, that the Resolution did not bind Parliament; but so great a departure from it demanded serious consideration.

The Motion, that the petitioners be heard by Counsel, negatived.

MINISTERIAL PLAN FOR THE ABOLITION OF SLAVERY.] The Order of the Day for the second reading of the Abolition of Slavery Bill having been read,

The Earl of Ripon moved, that the Bill be read a second time.

After a short pause, during which the Lord Chancellor rose to put the question,

The Earl of *Belmore* asked if the noble Earl meant to move the second reading of the Bill without offering any observations whatever in explanation of its principles? Such a course was certainly most unusual.

The Earl of *Ripon* did not see any necessity for troubling the House with any observations upon the present occasion. The principle of the Bill had been admitted by the adoption of the Resolutions; and he should be taking up the time of the House most unnecessarily were he to offer any statements in explanation of it.

The Duke of *Wellington* said, the custom of the House had always been, that on the second reading of a Bill its proposer should state generally the principles on which it was founded, as well as the purport of its details, and he was, therefore, somewhat surprised at the course the noble Earl seemed resolved upon pursuing with regard to the present Bill. He certainly had expected some statement from the noble Earl explanatory of the important details of the measure, and he submitted that it was in courtesy due to their Lordships to give them such an explanation. If the noble Earl was resolved to make no statement, their Lordships of course had no alternative but to discuss the Bill on their own interpretation of its details; but if they were to be treated with that decorum to which they were entitled, they ought at least to be informed what were the motives which induced the Government to insert many provisions in the Bill at direct variance with the spirit of the Resolutions.

Earl *Grey* admitted, that the general custom was, on the second reading of a Bill, to offer a statement of its general purport, and explain briefly the nature of its details. The present Bill, however, came before the House under extraordinary circumstances, inasmuch as its general principles had not only been discussed, but assented to before its introduction. With respect to the alterations which had been made in it since the Resolutions were discussed, he thought the Committee was the fitting stage for their consideration, and that his noble friend would only unnecessarily take up their Lordships' time by then alluding to them.

The Duke of *Wellington* observed that, in the first two pages of the Bill, there were three or four provisions making a complete alteration in the principles of the measure as they were explained by the noble Earl who introduced the Resolutions to their Lordships' notice. In the first place, the period of apprenticeship had been shortened from twelve years to six years in some cases, and four years in others. Now, that in itself was a most serious alteration. In the next place, the commencement of the period of apprenticeship was changed from August, 1834, to January, 1834. Then in the Bill there were three descriptions of apprenticeship, while in the Resolution only one was contemplated. There was likewise in the Bill a total alteration in the laws respecting slaves, not in any way alluded to when the Resolutions were before the House. These were great alterations, and he asked the House if they did not involve such a change in the measure as to require, at least, a short statement from the noble Earl? He had no hesitation in saying, their Lordships would not be treated with that respect which they had a right to demand if the noble Earl persisted in moving the second reading without offering any explanation of the motives which led to the alterations he had mentioned.

Lord *Colville* was prepared to object *in toto* to the principles of the Bill, which he thought had not been introduced from necessity, but in compliance with a delusion too successfully practised as well on the Government as on the country at large. He regretted much the absence of a noble friend of his, who, he was sure, could have given their Lordships a great deal of information regarding the likely results of the measure, many of the details of which he looked upon with considerable alarm. For his part, he did not consider himself pledged by the Resolutions to assent to the present Bill; and as he differed altogether from the principles on which it was founded, he should be quite ready, should a division take place, to vote against it.

The Earl of *Ripon* did not mean to contend that the noble Duke had pledged himself personally, or that their Lordships had pledged themselves to the passing of this Bill, by having agreed to the Resolutions, though certainly it would be a most unusual thing to reject the Bill on the second reading, under such circumstances. With regard to the alterations which it was stated had been made in the Bill, there certainly were alterations, but none of them were of such a nature as to affect the original principles on which the Bill was founded, and which were embraced by the Resolutions. The first alteration to which the noble Duke referred was the alteration in the length of the period of apprenticeship. It was perfectly true, that in stating to their Lordships the nature of the measure, and the intentions of his Majesty's Government, he stated the Bill would contain, as it did contain, a provision for a period of twelve years' apprenticeship. That proposition was made, and it was discussed, as every one knew, in the other House of Parliament. The result of that discussion, however, was such as to make it evident, that so long a term as twelve years was not likely to be conceded. His Majesty's Government had stated their reasons for thinking as he did, that period the best; but they yielded to the general opinion of the House of Commons in favour of a shorter time. Still, it did not appear to him that the change, which was only a matter of detail, was such as to induce their Lordships to refuse to proceed to the second reading of this measure. Another alteration to which the noble Duke objected, was the distinction made between prædial or prædial unattached, and non-prædial slaves. He would not at that period positively state that he had explained that part of the plan to their Lordships, but it certainly was part of the original plan, and involved nothing inconsistent with the principles of the Bill, or the intentions of his Majesty's Government. The classification proposed was the most convenient mode of dispensing to these persons the advantages which it was the object of the Bill to bestow upon them. The noble Duke had also complained of the alteration in the time which it was originally fixed that this enactment should come into operation. A change had certainly taken place, but it would be much more convenient to explain the reasons for that change when considering the details in Committee. He did not understand how that change could be deemed at all inconsistent with the Resolutions. Originally it was intended that on the 1st of November, 1833, the power of punishing slaves should be taken away from the masters, and vested solely in the Magistrates; and that on the 1st of August, 1834, the period of apprenticeship should commence. The Gentlemen, however, who represented the interests of the planters in this country, themselves objected to the arrangement, stating, that the intervening period would be found productive of much inconvenience, and that it would be a great improvement if the apprenticeship and the withdrawal of the power of punishment from the hands of the planters were to commence together, for which reason the dates were altered to the 1st of June, 1834. It was not for him then to contend whether this were a wise or an unwise alteration—all that was needful for him to remark was, that it did not affect the principle of the Bill, which was that of ultimate emancipation, preceded by a probationary state of apprenticeship. With respect to other alterations, he thought they would be best discussed in Committee. He had already made a full statement when the principle of the Bill was admitted, and he thought the course which he proposed to adopt was the most convenient, and one which could not justly be deemed disrespectful to the House.

The Earl of *Harrowby* said, he would not enter on the question of respect to the House, but it was quite clear, that if the noble Earl was determined not to make his speech, their Lordships could not compel him. The House had been occupied some time in listening to a discussion, which was doubtless very interesting, but the discussion which ought to have taken place was, whether it would be advisable to read the Bill a second time. It was the usual course for some member of his Majesty's Government to enter into an explanation of a Bill on the second reading. Their Lordships did not know what the measure before them was; they knew the Resolutions which they had agreed to; but of the measure by which those Resolutions were to be carried into effect by the Bill now before them, they were, or must be presumed to be, ignorant. All they knew was, that it was a very different measure from that which they had reason to expect when they agreed to the Resolutions. It was said the details might be settled in Committee, but the propriety of the Bill could not be ascertained by a separate examination of each clause in Committee, but by a general consideration of its details, and of the adaptation of its machinery to its object. He thought it much better, that the noble Earl should give his explanation in the present stage of the Bill.

The Earl of *Belmore* would endeavour briefly to state his objections to the Bill: and he hoped that, in doing so, their Lordships would acquit him of any desire to sanction a system of slavery with his approbation. On the contrary, he would not prolong its continuance in our colonial possessions one moment beyond the period when a state of society so uncongenial to our habits and our feelings could be safely dispensed with. He concurred with those who desired its immediate abolition, if that abolition could be carried into effect with safety to our commerce, and with advantage to our colonies, and with a probability of increasing the industry, civilization, and social order of the negroes themselves. But great as was his desire to expedite the period when such a system might be dispensed with, from a firm conviction that our colonies would not prosper except from the application of the capital and industry of an increasing free population, he begged, however, to disclaim any participation in the belief of those statements of cruelty practised by the masters towards the slaves, which had so unjustly been propagated in this country, for the purpose of exciting an unjust prejudice against those whose capital and industry had so materially promoted the prosperity of this nation. No doubt the power given to the planters had been, in some instances, abused; and such instances had come under his own knowledge; but these were merely exceptions. These statements had, however, served their purpose; and, instead of coming to consider this Bill calmly and deliberately, they were told that such was the feeling prevailing amongst the people of this country, that emancipation must, at whatever hazard, be immediately conceded. Certainly, the course pursued by the noble Lord who recently held the office of Colonial Secretary, was by no means calculated to allay excitement; and the demand for emancipation had, since his taking office, increased ten-fold. He was willing to believe, however, that the noble Lord saw many of the objections which related to the plan, and that he yielded to what he believed to be a measure of expediency. It was, however, incumbent on the noble Lord to show that the measure was practicable, and that its details could be carried into execution, consistently with the safety and advantage of our colonial possessions, or the commercial interests of this country. This, however, was a point to which he found the advocates of negro emancipation seldom adverted; and he had not heard from any one, that this measure was expected to confer a benefit on any one interest in the empire. The fact that compensation was given, proved the contrary. The planters had reluctantly, on payment of twenty millions, given their consent to a measure which they believed to be fraught with ruin and destruction, and which would affect the safety of our colonies, and materially injure our commercial prosperity. The people of this country, too, had been required to purchase the measure at a very large price—that measure, too, would injure our commerce, at a time when all the interests of the country were complaining of depression. What, he should like to know, would be gained by the measure, in the way of cultivating the islands by productive negro labour?—Nothing. Nothing, in short, would be gained by the Bill but the affirmation of an abstract principle. He had examined the plan proposed by the noble Lord for free cultivation in the colony of British Guiana—he had examined the mode proposed by the noble Lord, for continuing productive labour there—and their Lordships would find, on reference to it, that it was founded on a system of coercion, infinitely more severe in a practical point of view, than that under which the slaves now lived, and which, in his opinion, was utterly inconsistent with a state of freedom. There was this fundamental error in the noble Lord's plan, that the means proposed for coercing labour were opposed to an increase of the population, which, in his opinion, was the only natural and safe mode of effecting a change from slavery to freedom. If such a system as this were necessary to enforce free productive labour, how was productive labour to be expected from the slaves, if emancipated in the mode proposed? Such a plan would be merely changing the name of slavery, and nothing more. It might be said, that this measure of the noble Lord had been rather unceremoniously set aside by the right hon. Gentleman who succeeded him; but he complained that the plan was still adhered to, whilst the right hon. Gentleman had not thought fit to give any details of the manner in which he proposed to carry it into execution. In truth, as to all that related to the trade of the country, in connection with this subject, their Lordships were called upon to legislate in the dark. The measure might meet the concurrence of the local Legislatures, the twenty-millions might be paid and distributed, the machinery might be put into operation, and yet, after all, the measure might be found wholly inoperative. He was sure, let them do what they would, that they could never get the negroes to work for wages; and, in confirmation of this opinion, he would appeal to the noble Earl opposite. The noble Earl had himself suggested a tax of 40s. an acre on land cultivated for articles of subsistence, while land cultivated for superfluities was allowed to go tax free, in order to induce the negroes, by the constraint of necessity, to work. The noble Earl was persuaded—and he thought rightly persuaded—that unless there were some system of coercion—unless the necessity arising from misery and want were created—that the negroes would not work. He did not say this from supposing that there was any peculiarity in the negroes, but from supposing that they were like other men. He would not say that they were lazy — they were rather indolent than idle. He had no doubt that the negroes would work for their subsistence — they would do that from their natural instinct, like the Europeans. But they did not like work any more than the Europeans; and he was convinced, should this Bill become law, that it would baffle all the efforts of subsequent legislation to prevent the negro men from making slaves of the negro women. He did not attribute this to any peculiarity of character in the negroes, for he thought Europeans would be likely to act in a similar manner. If it were possible that the 300,000 slaves now in Jamaica could be deported, and their places be supplied by 300,000 European labourers, he did not believe, that the latter would work for wages any more than the former; and the more industrious they were, the less they would be likely to work for wages. They would all prefer to work for themselves; and they would, in such a place as Jamaica, find means to do that. Jamaica was 170 miles long, by forty-five broad, and its population did not exceed 400,000. There were about 40,000 Europeans, about 40,000 free blacks and people of colour, and about 300,000 slaves. But that island was capable of containing a much greater population. He believed, that at the time it was discovered, it was supposed to have contained 1,000,000 inhabitants; and he had no doubt that, under proper regulations, the island might at no distant period, if its resources were developed, possess 3,000,000 inhabitants. Under those circumstances, with so much room, and with a great facility of obtaining food, would not, under any system, the free labourers rather occupy and cultivate the soil on their own account, than work for wages? At present, two-thirds of Jamaica were wood and bush; and how could it be imagined that the slaves, when liberated, would work for others rather than for themselves? They would work, he believed, to obtain subsistence for themselves, and even to obtain comforts. Jamaica abounded in means of support; cattle were plentiful, the rivers teemed with fish, and the negroes had plenty of swine and poultry, though they liked the former much better than the latter. There was not enough of them to make a competition for land; rent, therefore, would be nominal. Their Lordships knew, that high rents were in Europe the result only of the density of the population. It was said by those who certainly did not know much on the subject, that it was not so easy to obtain subsistence in Jamaica, and that the labour of the slaves for twenty-six days in the year barely sufficed to maintain themselves. On the contrary, the labour of the slaves on those days not only sufficed to maintain themselves, but to provide subsistence for most of the inhabitants of the towns on the island. He was convinced that at least nine-tenths of the inhabitants of the towns in Jamaica were provided with subsistence by what the negroes brought to market. He would mention another fact of importance. Their Lordships knew that there was a rebellion in one part of the island; for nearly two months that part of the island was crowded with troops, and though the country suffered from a state of warfare, and there was, of course, much destruction, yet, during all that time, and till the termination of the rebellion, there was no scarcity of food, notwithstanding the additional number of mouths they had to feed. These were then an abundance of proofs, that the twenty-six days' labour of the slaves, sufficed to subsist themselves and the great majority of the inhabitants of the towns in the island. The noble Earl then referred to the evidence of Mr. Shand, to show that the negroes might obtain other things at a small cost. That gentleman said, that the expense of each slave for European stores was 1*l.* 17*s.* per head. Looking to their wages at present, a mistake was made, he thought, by not including in what was now given, the profit of the master. It should be remembered, that slaves were now let out by their masters; and Mr. Thorpe stated, that 2*s.* 6*d.* was the hire of a slave's labour for the day. Looking, then, at what was now the wages of a slave, and the little cost at which they could obtain clothes and all such allowances, he could not conceive what inducement they would find to work for wages. If the negroes were emancipated, unless under some of those restrictions formerly proposed by the noble Earl (Earl Ripon), he was sure that they would not work for hire. One of the arguments in favour of the measure was, that if the slaves were not emancipated, they would emancipate themselves; but that, he thought, was an unfounded apprehension, for the slaves were the feeblest of all possible creatures. They were powerful, he admitted, for mischief, but were easily checked and controlled, He also admitted, that at the last insurrection in Jamaica, they had done a great deal of mischief; but they would not have done that, had they not been abominably and cruelly deceived into supposing that the authorities of the island would not oppose their outrages. Before the troops could be collected, they had done much mischief, but they had not succeeded in any other object. He looked upon the opinion that they could make a successful attempt at insurrection to be most preposterous. Nothing was so feeble as the negroes; and it was quite impossible that they should ever be able to emancipate themselves by force. Proceeding to look at the Bill itself, he must maintain, that no state of society ever existed like that which the Bill would make, should it pass into a law. The noble Earl referred in particular to the 17th clause, as destroying all authority of the masters over their apprentices and servants; and the state of society which that would produce he could not imagine. The masters would have no control over their servants, but that which would be supplied by a stipendiary Magistrate and a Court of Justice. He appealed to their Lordships, whether they could carry on the business of their own families if they had no other control over their servants than that of the Magistrate? Their Lordships could remonstrate with their servants if they neglected their duty, and might discharge them; but the master in Jamaica could not do that. He must appeal to the stipendiary Magistrate. Not one of their Lordships, he was sure, could endure to live in a state of society where they must submit to such evils; and he was sure that every person who could, would escape from the colonies. He repeated, that the masters in the colonies would be unable to discharge their apprentices or servants—they could only appeal to the stipendiary Magistrate, and after he had punished the servant, the master and the servant must return home to their several occupations. The same regulation would apply to persons engaged in agriculture; and he wished to know how the farmers of this country would like it if they could get no redress for the negligence of their ploughmen or waggoners, without applying to the Magistrates? He saw that, by another part of the Bill, it was expected that the stipendiary Magistrates should be half-pay officers; and could it be expected, that they should be good judges of the making of cane holes? Those who were acquainted with the agriculture of the island were to be carefully excluded from these offices. The stipendiary Magistrates were all to be strangers; they were to know nothing of the colony, in order that they might be impartial; and how were they to judge, if the labour had been effectually performed in the cultivation of sugar? These were only a few of the objections which he had to the Bill; and he must declare that it appeared to him doubtful whether it would not in its consequences render emancipation equally injurious to the planters and the slaves, to the colonies and the United Kingdom. He was ready to admit, that slavery was itself injurious; that while it existed, the resources of the colonies could not be developed. He had stated that before, and he adhered to his opinion. He would not yield to any member of the Government, nor to any member of the Anti-slavery Society, in a desire to promote emancipation, consistently with justice, and with the welfare of the masters and the slaves. He believed, too, that it would be consistent with many improvements; but emancipation by the Legislature was impracticable, and ought not to be attempted. He passed by the flagrant usurpation by such a measure of the rights of those colonies which possessed Legislatures, and the constitutions of which had been as solemnly recognised as any rights ever ceded by the Crown. He admitted, indeed, the power of the Government to over-rule those Legislatures; but it was only the power of might against right; it was strength against weakness, and a strength we should not dare to use, if those colonies were situated on the American continent, instead of lying off its shores. Their Lordships might yet live to rue the effects of that Bill on the colonies; and that time would come, when the great Power in the neighbourhood of which the colonies were situated, and which was aware of their value, should be engaged in hostility with us, and being sensible of the errors of our policy, should be able, as she was not ill-disposed, to profit by them.

Lord *Suffield* supported the Bill, but stated that he objected to the 20,000,000*l.* being given as compensation, because he was sure that it was more than the planters ought to get, and more than they would have accepted if they had been pressed. The noble Lord also stated, that he should object in the Committee to the clause settling the salaries, as we understood, of the stipendiary Magistrates, and to the clause relative to the Mauritius. With reference to the opinion of the noble Earl who had just taken his seat, that the negroes would not work for wages, he reminded their Lordships of the colony of Liberia, when, of 142 colonists in 1828, only twenty were, at the end of one week, a charge to the United States government. The noble Lord also referred to the evidence of Admiral Fleming and other persons, to show that the negroes worked in the Caraccas, in Cuba, and other places for hire. In Jamaica, he knew, on good authority, that the negroes hired each other, and he knew that the rate of their wages was fifteen-pence a-day. With respect to the cruelties of the system, of course the noble Earl, from his official situation, would be the last person to hear of them. As to having no control over their servants, he would ask, what control had their Lordships over their servants? Did the noble Earl want to introduce the whip into our families, for his argument went to that? What control was there here but that of the Magistrates? He should give his strenuous support to the Bill.

The Earl of *Ripon* thought, that a great many of the observations which had fallen from the noble Earl opposite went to confirm the principle of the Bill, and particularly that portion of it which involved the ultimate abolition of slavery. The noble Earl objected to the existence of slavery, and had expressed his opinion that the resources of the island of Jamaica never could be fully developed while the system of slavery lasted. He (the Earl of Ripon) could not well imagine any state of society more calling for change than that which had been described by the noble Earl as inconsistent with the principles of the British Constitution, repugnant to all feelings of humanity, and an obvious and direct drawback on the development of the resources of the colonies. The noble Earl had alluded to exaggerated statements circulated in this country respecting the state of slavery in the West Indies, and had implied that Ministers had been influenced by those misrepresentations. That he denied. He, as well as the Government of which he was a member, had always looked at this question as a practical question; they were desirous of seeing it settled in such a way as would prove beneficial to the colonies themselves, and prevent it being a source of perpetual agitation. The noble Earl had stated, that the negroes were incapable of carrying insurrection to a successful termination. That might be the case; but it should be recollected, that the insurrections in which they had hitherto been engaged had been put down, not by the unassisted efforts of the slave owners, but by means of the naval and military forces of this country. However, powerless the negroes might be to effect a Revolution, it must be confessed that the present state of society in the colonies was full of insecurity and danger, and would remain so as long as there existed the elements out of which even an attempt at rebellion could be formed. It was admitted on all hands, that the colonies were precisely in that condition, and he therefore was of opinion, that the West-India proprietors would consider their interest benefited, if some means were adopted whereby the present state of circumstances might be changed. Their Lordships were told, that the very discussion of this question was replete with danger; but to that statement he must reply, that it was the business and duty of Government to meet and overcome that danger. The noble Earl had alluded to a plan of emancipation which he (the Earl of Ripon) had submitted to the West-India proprietors, in which he proposed to accompany the state of freedom by coercive laws; and the noble Earl observed, that the existence of those laws with a state of freedom was an anomaly. He admitted that it was an anomaly; but then it should be recollected, that they were dealing with an anomalous state of society. He would not follow the noble Earl through the comments which he had been pleased to make on his (the Earl of Ripon's) proposition. It would be sufficient for him to say, that he had proposed it to the West-India proprietors as a mode by which, with their concurrence, the great object the Government had at heart might be effected. They, however, did not take the same view of the matter; they objected both to the principle and the details of the plan; and it therefore became his duty to consider whether it would be advisable for the Government to persist in that particular scheme, or make some other arrangement, which would as effectually serve their purpose, and at the same time be free from those objections urged by the West-India body against the first proposition. It did not fall to his lot to communicate with the proprietors of colonial property on the subject of the plan now submitted to Parliament; but he most entirely concurred in the substitution which had been made, as his only object, throughout the whole business, had been to adopt the best and most satisfactory means of setting this question at rest; and he was convinced, that its settlement never would be effected, except by the direct interference of the Government and Parliament. He had always been of opinion, from the moment Parliament abolished the Slave-trade, that the abolition of slavery had become merely a question of time. But if the arguments of the noble Earl were to carry any weight with them, it would be difficult to conceive when the fit time for emancipation could arrive; for though a certain portion of the noble Earl's speech seemed to be directed against the maintenance of a permanent system of slavery, he argued at the same time that the negroes were idle, and would not work unless by compulsion. But he must contend that the negroes were influenced by the same motives as all other men, and the tendency of all the evidence which had been given on the subject was to prove that they were disposed not only to work for the necessaries, but even for the comforts and luxuries of life. The noble Earl had expressed an objection to that part of the Bill which allowed corporal punishment to be inflicted only in pursuance of the sentence of a Magistrate, and he had asked their Lordships how they would like to have offences committed by their domestic servants decided upon by a Magistrate. Surely the noble Earl did not mean to say, that he wished masters in England to possess the power of corporally punishing their domestic servants. The noble Earl should bear in mind that the cases of cruelty which had created the strongest impression in this country were exactly those in which the unlimited power of punishment possessed by the slave-owner, had been exercised against domestic slaves. It therefore appeared to him, that nothing was so desirable, when a change was made in the relative condition of these parties, as that the power of inflicting corporal punishment should be taken from the masters, and placed in other hands. With respect to the general question, he thought there could be no difference of opinion as to the impossibility, under the peculiar circumstances of the case, of standing still. Their Lordships could not shut their eyes to the state in which this question stood. It might be said, that all the difficulty with which this subject was surrounded had arisen from the unreasonable warmth and zeal by which the question had been taken up by a body of persons in this country. It might also be said, that too much facility had been given by Government to the operation of those feelings; but, in point of fact, those feelings had existed for a great length of time, and produced a wonderful impression; and what their Lordships had to deal with was, the question as it presented itself under existing circumstances. He did not think that the Government could be justly charged with having any share in creating those circumstances, for it was impossible that the question could be long discussed by the country without Parliament being called upon to endeavour, once for all, to settle it. He was not unaware that its settlement was a matter of difficulty; but, though he had heard of various schemes of emancipation, he had never seen any more calculated than the present to bring about a satisfactory and safe settlement.

The Duke of *Wellington* fully agreed, that it had now become impossible for this matter to stand still, whatever might be the mode adopted of forwarding it. He must observe, however, that the manner in which Government had taken the lead in putting forward this abolition measure, had exhibited the most unequivocal contempt of the rights of private property. He denied, however, that there existed any necessity for framing the measure in its present shape, or any shape like it. The proper way would have been to induce the Colonial Legislature, to take means for improving the social and moral condition of the slaves, so as to bring them to such a state in which it would be safe and advantageous for all parties concerned, to do away with slavery altogether. Without this discipline, it would be fatal to all parties to emancipate the negroes. As to the proposed alteration of the relative positions of the colonists and their negroes, were they likely to have fewer rebellions when the parties were called master and apprentice, instead of master and slave? There would, on the contrary, he believed, be more than ever; and, indeed, before long matters he was afraid, would come to such a pass in the colonies, as to reduce us to the necessity of destroying the black population. Then there was another provision in the Bill which would very materially be objected to by the proprietors: for they were not to be allowed the power of dismissing their apprentices on any grounds, even though the latter should be quite worn out and unserviceable; and not only were they not allowed to get rid of them till the end of those six years, but they were obliged to maintain them. Ministers had only provided 100 Magistrates for the whole nineteen colonies, but they would find that such would be the disorder produced by this Bill, that they would require 100 for Jamaica alone. As he had said before, such a hazardous measure as the emancipation of the negroes ought to be very gradual in its operation. The first point should be to conciliate the colonists, so as to ensure their co-operation. Nothing should be done hastily in a matter which involved such immense public and private interests, and in which the negroes themselves were so deeply concerned. It was absurd to expect that the negroes, in such a climate as that of the West-Indies, would work as regular agriculturists, unless they were obliged to work: the proprietors in the United States, in Colombia, in Guyana, would bear ready testimony to the truth of that proposition. Instead of this arbitrary Bill, the measure ought to have been commenced by Resolutions, recommending to the Colonial Legislature certain acts to be done, and promising compensation for all losses sustained by the operation of such Acts. That might have ensured the co-operation of the local Legislature, without which nothing could be effectually done; and he was sure, that those Legislatures would never concur in such a harsh and violent measure as the present; which was moreover a measure quite different from the one formerly proposed by the noble Lord—and essentially different in several of its most important points. In the apprentice clause, for instance; the Bill would have the effect of making an extensive and dangerous alteration in the existing law, for whereas at present, although a slave accompanying his master to England would be free while in this country, yet, on his return to the colonies, he would again be a slave; this Bill rendered the fact of his being once free sufficient to make him free for life. He repeated that the proper course would be to suggest certain things, and promise certain compensation to the colonists, and leave to their judgment, (which on such matters must surely be better than that of the Government at home), to use the best means for carrying such measures into effect, and to distribute properly the compensation money. The colonists generally would take care of its impartial distribution. Here, too, he must object to the present plan, that instead of raising the proposed sum at once, and either handing it over to the Colonial Legislature, or putting it out to interest on their account, the compensation money was not to be got together till the termination of the apprenticeship. The proper way would be when the average rate per head was fixed, and the total amount ascertained, to transmit such amount to the authorities to be distributed by them, when the wishes of Government had been carried into effect. By the change now proposed as to the time of the labour of the negroes, the proprietors would lose one-fourth of the amount of produce now obtained from their estates, and they would in justice be entitled to compensation for that loss. The produce at present amounted to 12,000,000*l.* sterling, and by this change it would be reduced by the sum of 3,000,000*l.* sterling. The difference in the amount of the value of the labour of the negro was equivalent to the whole amount of the rent; so that the loss would be very considerable. Was the taking away so much the sort of protection which that House and the Government ought to give to the planters? Had not the planter been sufficiently interfered with already? Had not the Government allowed, and indeed encouraged men to go among the slaves, and teach with the utmost freedom all sorts of doctrines? The provisions of the 52nd George 3rd, c. 155, carried toleration to its fullest extent. It had certainly been passed in a very liberal spirit, but he doubted whether it could be called the work of prudent Statesmen. Nothing could be a matter of greater delicacy than the licensing of sectarian instructors under this Act. Did the House imagine that they could ever establish the negroes as a part of society in the islands of the West Indies? Let them refer to the opinions of some of the wisest and best men in America, in those States in which slavery had been abolished, and they would find, that when by law the negroes had been made fellow citizens with the Americans, it had been found necessary to begin colonization in order to remove them from the States, with the citizens of which, it was impossible they should ever perfectly amalgamate. The noble Duke here read the opinion of General Harper on this subject, who had declared his firm conviction, that there never could be an intimate union between the two races; that they never would look on each other as fellow-citizens in the cordial manner in which different classes of men living in the same country, and subject to the same laws, should do; and that the colonization of the negroes was, therefore, necessary for their advantage, as well as for that of the Americans themselves. Again, he called on the House to look at the details of this Bill, many of which were such an interference with the right of internal legislation possessed by the colonies, that it was not surprising they should object to it. The Bill, in fact, was a renewal of the attempt at internal taxation, which he imagined had been abandoned a long time ago. Looking at all these circumstances, he entreated the Government to revise the measure, and to take out of it those harsh parts which he regretted to see introduced with respect to the colonies, and to take away those clauses which it was impossible that any Legislatures in the colonies could agree to.

The *Lord Chancellor* was a little surprised by the charge of the noble Duke, that the present was a precipitate and uncalled-for measure, for which Ministers only should be responsible, as they only had a hand or felt an interest in its enactment. Never was a charge more unfounded; for, be the measure in principle right or be it wrong, or let the probable consequences of its provisions be what they might, he maintained that it was not volunteered by Ministers—that they had not led the way in proposing its adoption—that it was no precipitate and ill-advised scheme of their own crude fancies—but one loudly demanded by the all but unanimous voice of the people of England—one based on the rooted opinion, and conviction, and most ardent feeling of the community at large—a measure, moreover, which was not attributable so much to either the mother country, or Parliament, or the Government, as to the ill-advised conduct of the Local Legislatures themselves, who had, after long delay, made it the duty of the Government and the Parliament of the mother country to interfere, and endeavour to accomplish that great and most meritorious object which the best and ablest men in the empire had, for the last quarter of a century, more particularly for the last twelve or fifteen years, earnestly advocated; and which public opinion was now set so strongly in favour of, that no government, however anxious to delay or frustrate the attainment of that object, could any longer help lending its aid to accomplish. He had himself been for some time deeply impressed with the conviction that the period was arrived beyond which Parliament could no longer refuse its aid in accomplishing the anxiously sought wishes of the people; and that the longer the delay the greater was the danger. The noble Duke objected to the present Bill, because it would, according to him, be an assertion of the right of the Imperial Parliament to legislate for the internal affairs of the colonies. He was surprised that the noble Duke should again dish up this thirty-times refuted assertion. The very statute, the 18th of George 3rd, to which the noble Duke referred, as ensuring the colonies the exclusive right, of internal legislation, actually retained the right and that, too, while it renounced the right to impose taxes upon the colonies. That Statute recited, 'That the taxation by 'the Parliament of Great Britain, for 'the purpose of raising a revenue in the 'colonies of North America had occasioned 'great uneasiness and disorder among 'his Majesty's faithful subjects, who 'might nevertheless be disposed to acknowledge the justice of contributing to 'the common defence of the Empire, 'provided such contributions were raised 'by the assembly of each province. In 'order to remove the said uneasiness, '&c. it was expedient to declare that the 'King and Parliament of Great Brtiain 'will not impose any duty, &c. for the 'purpose of raising a revenue in any of 'the colonies &c. Be it therefore, enacted 'that from and after the passing of this 'Act, the King and Parliament will not 'impose any duty tax, or assessment whatever, payable in any of his Majesty's 'colonies, provinces, and plantations in 'North America, and the West Indies, 'except only such duties as it may be expedient to impose for the regulation of 'commerce, the nett produce of such 'duties to be always paid, and applied to, 'and for the use of the colony, in which 'the same shall be levied, in such manner 'as other duties collected by the authority 'of the respective general courts or general assemblies of such colonies provinces, 'or plantations, are ordinarily paid and 'applied.' The right, therefore, to interfere in the internal affairs of the colonies was never abandoned; the exercise of that right being merely suspended in the particular case of taxation, and that suspension, too, was voluntary, on grounds of temporary expediency. That was the view taken theoretically by Mr. Burke, and practically asserted by Mr. Secretary Dundas. All Mr. Burke's speeches bore testimony to his sincerity, for to that and to his views on this point he sacrificed his seat at Bristol. With respect to the noble Duke's remarks, as to the improbability of free negroes working, if it were the nature of the negro, under existing circumstances, to find a delight in cultivating his ground, after his day's work for his master was at an end, surely he would not so alter his nature as to refuse voluntary work when this new arrangement came into operation. The noble

Duke had objected to the apprenticeship clause; but power was given to the local Legislatures to enact regulations for the government of apprentices, and it was better left to the local Legislatures to provide for the details, which required local knowledge, than to do so by that Bill. With respect to the change of plan between the resolutions and the Bill, although he (the Lord Chancellor) denied that there was any real discrepancy between the resolutions and the Bill, but between the statements that accompanied the resolutions and the plan in the Bill; the change was effected by the House of Commons, who thought it expedient to reduce the term of twelve years to seven, when they were increasing the amount of the gift from 15,000,000*l.* to 20,000,000*l.* If they had reduced it to five years, he (the Lord Chancellor) should not have broken his heart, either on account of the masters or on account of the slaves. To suppose that the apprenticeship would last seven years was out of all reason. He did not think it would last five. The first persons to desire an alteration would be the local Legislatures, which would reduce the seven years to a shorter period. The noble Duke had instituted a comparison between the emancipation of the Catholics in Ireland and that of the slaves in the West Indies; but the cases were totally different. There was not an Act in the Statute-book to show that we had no right to make a law to bind Jamaica. The noble Duke had objected to the mode of the distribution of the money, and had said, that the simplest mode was to distribute it according to the number of slaves in each colony; but he (the Lord Chancellor) doubted if there were any two colonies in which the value of the slaves was the same; it varied from 15*l.* or 20*l.* to 45*l.*; so that the mode of paying *per capita* would not be just in any one colony, and in no one case would the colony have what it ought to have. A more simple and just mode could not be devised than that of taking the combined ratio of number and value, by which justice was done to all. The case of Demerara was undoubtedly a special one; there the slaves were more severely taxed than in other colonies, and it was one of the worst traits of the system that the better the country for the master, the worse for the slave. Whole myriads of wretched creatures had been swept away on the discovery of a new island, or a virgin soil. That there was a deficiency of population in the colonies was undeniable; since the abominable African slave-trade had been abolished, the mortality of the slaves had been great and their numbers had diminished. This did not falsify the predictions of the abolitionists of the trade that there would be a sufficient number of hands to cultivate the soil, for those predictions were founded on the expectation that the colonists would do their duty to the slaves and to themselves, and that the local Legislatures would take steps to encourage breeding, the only mode of doing which was increasing the comforts of the slaves. It had been supposed by the noble Duke that there would be a falling-off in the quantity of sugar in consequence of this measure; he had at first supposed that nobody would work at all, and that we should have no sugar. If he (the Lord Chancellor) had that apprehension—if he believed that there was something in the nature of sugar cultivation so pernicious that no one would be induced by any kind of temptation, or by any species of motive, to devote himself to it as a labourer, and that nothing but the scourge, the fetter, and the lash could make a man labour at this kind of toil, what an argument was this against the continuance of slavery for one hour longer. And did not those who urged this consideration see that it would be one of the most flagrant of human enormities that sugar cultivation should be continued on such terms as these? The noble Duke said, that the quantity of sugar would be reduced from 12,000,000*l.* to 9,000,000*l.*, and that the revenue would be proportionably reduced; but we were obliged at present, in order to keep out East-India sugar, to give a protecting duty to West-India sugar. We had only, therefore, to let in East-India sugar, and the damage would be repaired; we should raise a revenue of 9,000,000*l.* from West-India sugar, and 3,000,000*l.* from East-India. The Chancellor of the Exchequer would care no more whether the revenue came from East-India or West-India sugar, than ancient Tyre did as to the source from whence her wealth came. The noble Duke had dwelt upon the clause respecting the licensing of teachers. The delicate nature of the authority to be intrusted to Magistrates, in the exercise of the powers of the Act 52nd George

3rd, was a reason why there should be a careful selection of the persons to whom those powers were to be confided. If it was found in the Committee that the authority might be safely extended, he should have no objection to extend it. What he wanted to guard against was this—that if the power was confided to resident Justices, with insular prejudices, he doubted whether one dozen of slave teachers would be appointed by the resident Magistracy. He wanted to supply a sufficient number of preachers and teachers for the slaves; and to secure sectarian teachers against persecution, by placing the power in the hands of those who would exercise a sound discretion, without prejudice or hostility, or a dogged determination that no sectarian should teach a slave. Evidence of the fact was wanting that any of these conscientious men had abused the liberty afforded them to raise disaffection. He did not believe that a tittle of evidence to prove such an assertion existed, and he had read all the evidence, which amounted to nothing. If he were asked for a reason why sectarian preachers should be permitted, he answered, that the only chance, the only possibility of teaching the slaves, was to be found in the zeal and congenial habits of those sectarian preachers. Send a man from Oxford or Cambridge to a colonial parish—why, they might as well be sent to a workshop in Birmingham or a spinning manufactory at Manchester; they would be just as fit for one as for the other. It was from the zeal and habits of these sectaries that we were to look for a progress in this great work. The noble and learned Lord concluded with saying, that after the exertions of more than a quarter of a century, it was no little gratification to him, and no little consolation for many disappointments and disquietudes, to have lived to see this great and good work brought so near to a consummation.

Lord *Wynford* defended the colonial clergy against the remarks of the noble and learned Lord. If the clergy of the colonies were like those of England, they were ever ready to visit the humblest cottages of the poor. There was not the least pretence for saying that the cause of Christianity would not be as well served by them as by any sectarians whatever. His noble and learned friend had no pretence for saying, that the Colonial Legislatures were at all to blame, or were not ready and willing to adjust this great question, which could not be adjusted without their assistance. He objected to that clause in the Bill which removes the power of granting licenses to sectarian preachers from the Quarter Sessions to stipendiary Magistrates. This mark of degradation — for he could consider it only in that light — placed upon the colonial Magistrates, could only tend to keep alive those feelings of irritation which it was for the interest of all parties should be allowed to subside as soon as possible. It was not pretended that the Magistrates at the Quarter Sessions had ever abused the powers with which they were invested by refusing to license preachers, except on the ground of immorality. In the present measure all that was in the character of a boon appeared to come from England, whilst all the coercive regulations, which were likely to excite odium, were thrown upon the Local Legislatures. With respect to the mode of distributing the money, he contended, that a distribution *per capita* would be the only fair mode of dispensing the grant made to the planters. There appeared reason to apprehend that the effect of the measure would be to diminish the produce of sugar; and if that should be the case, the people of this country would bitterly repent that the Bill had been passed in such haste. The negroes, when freed from coercion, would acquire vices which not all the zeal of the clergy of the Church of England or of any other Church would be able to eradicate. With respect to the system of apprenticeship, he thought it would not last one year; the negroes would in that time cast off the remaining restraints imposed upon them. It was absurd to suppose that the predial negroes would consent to remain in a state of apprenticeship when other negroes were liberated. He concluded by stating, that he would not oppose the second reading of the Bill.

Viscount *St. Vincent* said, that the principle of the Bill proceeded upon an unwarrantable distrust of the Colonial Legislatures. This pervaded every part of the Bill, and in his humble opinion, it would endanger its adoption by the colonies. On the other hand, there was nothing which implied a doubt, that the Colonial Legislatures would execute all the unamiable duties which were imposed upon them by the measure. The Bill appeared to him defective in this respect, that while it provided that the masters should find food, clothing, and lodging for the negroes, it contained no provisions by which the performance of the negroes' duties to the masters could be enforced. After expressing his belief that the Colonial Assemblies would have acted upon the Resolutions of Parliament, if no attempt had been made to interfere with what they considered their peculiar privileges, the noble Earl concluded by saying, that he was so overcome by fatigue, having travelled 150 miles that day in order to be present at the discussion, that he would defer what further observations he had to make till another occasion.

Lord *Clifford* thought, that as no one seemed disposed to object to the second reading of the Bill, the discussion might with propriety terminate.

Bill read a second time.

HOUSE OF COMMONS,

Monday, August 12, 1833.

MINUTES.] Papers ordered. On the Motion of Mr. HUME, a Copy of the Regulations and Bye Laws of the College of Physicians of London and of other Papers concerning that Establishment; the same of the College of Physicians of Edinburgh, of Glasgow, and of Dublin —On the Motion of Mr. LITTLETON, an Abstract of the Amount of the Gross and Net Incomes of Parochial Benefices in Ireland.

Bills. Read a third time:—Court of Exchequer; Uniformity of Process; Commissioners of Lunacy; Disembodied Militia.—Read a second time:—Forgery of Stamps.

Petitions presented. By Sir ROBERT INGLIS, from Weymouth and Melcombe Regis, against the Notaries Public Bill.—By Lord EBRINGTON, from Parkham, for rendering the use of the Imperial Measure inoperative.—By Mr. MARK PHILIPS, from the Lace Manufacturers of Derby, against the Factories Regulation Bill.—By the SOLICITOR GENERAL, from the Inhabitants of Dudley, for the Privilege of Electing their own Magistrates.—By Mr. CHARLES BULLER, from Great Wigston, for an Amended System of Poor Laws.

FACTORIES' REGULATION.] On the Motion of Lord Althorp, the House went into Committee on the Factories' Regulation Bill.

On the 6th Clause relating to the quantity of time to be allowed for persons working twelve hours a day to take their meals.

Mr. *Goring* moved as an Amendment, that an hour and a-half for meals be deducted from the said twelve hours.

Mr. *Poulett Thomson* said, if the Amendment were carried the hours of labour would be only ten and a half per day, and he was sure that that was not the wish of the House. Respecting a similar clause in Sir John Hobhouse's Bill, some doubts had been entertained, although legally speaking, there was no doubt at all; and it was his (Mr. Poulett Thomson's) intention to add after the words hour and a half, "exclusive of the twelve hours for work."

Mr. *Plumtre* regretted, that the question of the morals of the rising generation was not sufficiently considered in this Bill. He should support the Amendment.

Mr. *Edward Stanley* said, the Bill, so far from neglecting the morals of the children, went very far to improve them. He thought the Amendment would be productive of the most injurious consequences, and he should oppose it.

Sir *Alexander Hope* begged to say, for the honour of many masters in his neighbourhood, that they had not waited for a compulsory clause, having engaged schoolmasters at their own expense to educate the children employed in the factories.

Mr. *Cobbett* approved of the Amendment of the hon. member for Shoreham, and only wished that hon. Members could see the children dragged weeping through the snow to their work—the child and the mother both weeping—the child at being forced, and the mother at being obliged to force it.

Mr. *George Wood* begged to say, that the Amendment did not apply to such cases as the hon. member for Oldham mentioned.

The Committee divided on the Amendment: Ayes 17; Noes 53—Majority 36.

List of the AYES.

Bewes, T.
Brotherton, J.
Cayley, E. S.
Cobbett, W.
Evans, Colonel
Fielden, J.
Gaskell, J. M.
Hardy, J.
Henniker, Lord
Lennox, Lord W.
O'Dwyer, A. C.
O'Reilly, W.
Plumtre, J. P.
Poulter, J. S.
Sinclair, G.
Torrens, Colonel
Walter, J.

TELLER.

Goring, H. D.

Clause agreed to.

On Clause 8th enacting that children under thirteen years of age shall not work more than eight hours a-day being read,

Sir *Henry Willoughby* said, the suggestion framed on the Report of the central Commissioners, with respect to double relays of children, was in the teeth of the great mass of evidence collected by those Commissioners who had gone through the country. Commissioners, masters of mills, managers, impartial witnesses, parents, and operatives, all wonderfully coincided in declaring such a system ineffectual and impracticable. There were various errors and discrepancies in the Report of the central Commissioners, and perhaps there never was in the whole range of Parliamentary inquiry an enactment framed more clearly and more decidedly against the evidence to support it than that of the relays. The great objection to relays was the deficiency of supply, and the necessary fall in wages, what they gained in time being lost in diet and clothing. The clause would operate greatly to the prejudice of the children, and have a tendency to drive the factories into crowded and unhealthy places. He was anxious to ask the noble Lord (Lord Althorp), what guarantee could be given that children who worked only eight hours in factories would not work elsewhere? The evidence showed, that pin-heading was a tedious, laborious, and monotonous employ, but parents hired out their children at 15*d.* to head a pound of pins. Such a course might be pursued, and after eight hours' labour in a factory a child might be let out for hire to head pins. Believing the clause to be ineffectual and impracticable, he should vote against it.

Lord *Althorp* always had entertained very great doubts whether the Bill would increase the comforts of the labourers. The country had decided, that they ought to protect the children from over-work, and on that ground he had taken up the Bill, when the noble Lord opposite (Lord Ashley) abandoned it. He agreed with the hon. Baronet who had just spoken, that there was great difficulty about the relays, and that it would not be beneficial to the children; but he had always thought Parliament could not legislate on this subject without incurring the risk of producing mischief.

Sir *Henry Parnell* advised the House to take some time to reconsider this subject, that the clause might not be allowed to come into operation until the subject could be brought before the House again next Session. With that view he should move, as an Amendment, to insert in the clause instead of the words "1st of January, 1834," the "1st of July, 1834."

Mr. *Poulett Thomson* said, it was his intention to move an Amendment, to the effect, that the operation of the clause should be postponed till six months after the passing of this Act, instead of the 1st of January, 1834. This would have a much better effect than the Amendment of the right hon. Baronet. If, however, his object were really to defeat the clause altogether, it would be much better to propose it directly. He considered the measure to be an evil forced on the Government and the House; he looked upon its operation as very doubtful indeed; but the public and the operatives themselves had declared in favour of a legislative interference on the subject of a restriction in the hours of infant labour in factories, and leaving the question open for agitation till another Session of Parliament would be productive of the greatest possible evil to the trade itself and to the public.

Colonel *Torrens* would support the Amendment of the right hon. Baronet. In the manufacturing districts the impression was general, that the Ten Hours' Bill was required; and they were determined to have it. He denied, that the passing of this Bill would satisfy the operatives or the country.

Mr. *George Wood* wished, that instead of the clause commencing at nine years of age, it should commence at eight, by which means twenty-five per cent more labour would be obtained. He intended, after the present Amendment was disposed of, to move, as an Amendment, which was perfectly in accordance with the marginal note to the clause, that the Bill be brought into operation as regarded children of eleven years of age at one period, twelve years at another period, and thirteen years at another period.

The Committee divided on the Amendment—Ayes 18; Noes 64: Majority 46.

Mr. *George Wood* moved, that the words "within the factories or mills" be left out. The object of the clause was, that the children should not take their meals upon the premises, in order that fraud might be avoided; but he did not think it was to be apprehended.

Mr. *Poulett Thomson* feared by the Amendment the law would be evaded, as it would be difficult to obtain information of what went on within side the mills; for the parties who would be likely to complain would be under the control of those against whom the complaints should be made. It would be impossible to say, whilst the children were within the mill, whether they were employed all the time or not.

The Committee divided — Ayes 42; Noes 44: Majority 2.

House resumed—Committee to sit again.

THE DUDLEY MAGISTRATES.] Mr. *Littleton* said, he had a Petition to present from Mr. Molyneux, a Magistrate for the counties of Stafford and Worcester, and also for the town of Dudley, in which he carried on the business of a banker, complaining of a statement made by the hon. and learned Solicitor General—the effect of which was, that the Magistrates of Dudley were such, as in their absence he did not like to describe, that the people did not appoint them, had no control over them, and therefore they gave little satisfaction to the people, but were in truth political partisans. The statement thus said to have been made by the hon. and learned Gentleman had been posted up in the town, and had, of course, excited considerable attention. There were four gentlemen who filled the office of Magistrates in the town of Dudley, and he (Mr. Littleton) begged leave to state, that having long had the pleasure of knowing each of these gentlemen who acted for that part of the county of Stafford, he could positively declare, that there could not be found men of greater honour and respectability in every way. As to the charge of their being political partisans, and, as the statement intimated, partisans of a kind not accordant with the feelings of the people of Dudley, the hon. and learned Gentleman must be in error in some degree; for he (Mr. Littleton) could only say, that he thought them the reverse, for they gave him their best support during the late election. The petition prayed for an investigation into the subject.

The *Solicitor General* asked for the indulgence of the House while he made a few observations upon the matter of this petition, and, in making them, he should do what he could to avoid touching on a breach of privilege. He certainly should not oppose the prayer of the petition for an investigation, and the result of it, he was sure, would show, that the Magistracy of that part of the country was in an unsatisfactory state. He begged, however, at the same time, to declare, that he had made no personal imputations on any of these gentlemen. He had not charged them with misconduct, nor did he charge them now. All he had said was—and to that statement he still adhered—that the present state of the Magistracy in that part of the country was unsatisfactory; and that, with a view to render it otherwise, there must be a change in the local administration of the law there. To show the House that he had cast no imputations of personal misconduct on the Magistrates, he begged to be allowed to read some extracts from a letter which he had addressed to them.—'The conduct of 'every public functionary in this kingdom, and his fitness for his office, may 'be made the subject of fair criticism and 'comment. My own conduct, as a law 'officer of the Crown, has been severely 'blamed by individuals both in and out 'of Parliament, without feeling myself 'at all aggrieved. In my observations on 'the Dudley Magistrates, I did not impute any misconduct to them, although I 'regretted, and do regret, the state of the 'Magistracy in that part of the country. 'I believe it is notorious, that they are all 'zealous, active, political partisans, and 'all of one party. Justice may be very 'purely administered by them, but, according to my own observation, it is not 'administered to the satisfaction of the 'public, and serious discontents do prevail. 'Another ground of dissatisfaction, often 'stated to me is, that though very respectable in their private characters, 'they are all engaged in trade, and are, 'therefore, disqualified to adjudicate on 'certain statutes, and may be considered 'not altogether free from prejudice upon 'other matters that may come before 'them. In the discharge of my public 'duty I therefore pointed out the present 'unsatisfactory state of the Magistracy in 'Dudley as a reason for granting charters 'to the new boroughs. I had no intention 'to give any personal offence, and I am 'sorry if I have wounded the feelings of 'any individual.' He could only add, to show that his opinion of the necessity of alteration in the Magistracy of Dudley was borne out, a petition which he held in his hand, signed by between 300 and 400 respectable inhabitants of that town, and containing allegations that, in every respect, bore him out in what he said on the subject. He had heard nothing that induced him to alter the opinion he had formed, and he was happy to hear, that, in the course of next Session, a Bill would be brought in, by which towns like Dudley, containing a large and industrious population, would be enabled to elect their own Magistrates; to be no longer, as now, under the dominion of a party; but to be able to secure to themselves a satisfactory administration of justice.

Sir *Oswald Mosley* begged to bear his testimony to the good character of the Dudley Magistracy. He was Chairman of the Quarter Sessions there, and consequently had often met them in Court, and more respectable individuals he did not believe to exist.

Sir *Francis Burdett* did not understand from what had passed, that there was any imputation cast on the character of these gentlemen; but it was well known, that it had been long matter of complaint, that the Magistracy of the country had strong political partialities and political feelings, so that, though they might not be suspected of partiality in the ordinary administration of justice, it was notorious that the system was not as satisfactory as it ought to be. This, at least, was clear, that the subject was one well deserving the attentive consideration of the House, especially as it related to the administration of the laws by men who were in situations and circumstances that rendered them less responsible than others were. There was a great deal in the laws of this country upon subjects connected with the present that required amendment. He had often been struck with this, and the opinion he had formed had been enforced by what he had seen in the papers this morning. A trial had taken place at Lewes, and a man of good character had there been found guilty of sheep-stealing. It seemed, that there was in that county a custom, that when two lambs were dropped by one ewe, the shepherd was to have one of them. As this event did not probably often take place, the loss to the master was not very considerable, and, at any rate, it appeared to him, that there was no harm in the custom. But notwithstanding this, a man of good character was condemned for the offence of sheep-stealing, when it appeared that he had only taken that which was permitted by custom, and the man was to be transported for life. He had taken this opportunity of mentioning this circumstance, and hoped that this really innocent and honest man would not suffer the shame of being transported.

Mr. *Cobbett* said, that if the custom was what the hon. Baronet supposed—namely, that of every two lambs dropped by a ewe at one time, the shepherd was to have one, he would soon have a flock of his own. The hon. Baronet was under a mistake as to the custom. The fact was, that sometimes there was a bargain made to let the shepherd have one lamb out of every three produced at one time; but this shepherd had gone further than that custom, and had violated the law. With respect to the matter of the Dudley Magistrates, he knew this, that early this Session he had presented petitions from the inhabitants of Dudley, complaining of great partiality in the conduct of the Magistrates, and alleging, that in one case there had been an absolute refusal of justice. He cordially agreed with the prayer of the petition, and hoped there would be an investigation.

Petition to lie on the Table.

NATIONAL GALLERY—BUCKINGHAM PALACE.] Mr. *Hume* wished to put a question to the noble Lord opposite of some importance. The sum of 50,000*l.* had been voted last Session towards building a National Gallery, and he wished to know whether anything had been done in the expenditure of the money? He had understood, that the estimate originally delivered was for only 32,000*l.*, that then it was raised to 40,000*l.*, and subsequently to 50,000*l.*; but that at present difficulties had been found in finishing it at 76,000*l.* He should be glad to know whether Ministers had come to any and what determination upon the subject.

Lord *Duncannon* replied, that the hon. Member was quite correct in his information. The sum of 50,000*l.* had been voted by Parliament last Session; since that time, alterations had been suggested, which had increased the estimate. Complaints had been made against the proposed line, interfering as it would with the view of St. Martin's Church, so that with the alterations the Gallery would cost more by about 4,000*l.* than the largest sum mentioned by the hon. Gentleman. As such was the case, a new, more convenient, and more practicable plan had been proposed for the reception and exhibition of the national pictures; it was, that they should be placed in the Banquetting-house at Whitehall, in that part of the building now employed as a chapel for soldiers. It was a very fine room, and, at a comparatively small cost, would do full justice to the pictures, while recompence could be made to the architect intended to have been employed. To convert the chapel into a Gallery, with apartments for a keeper of the pictures, and to erect a new chapel for the soldiers, would not cost more than 25,000*l.* or 26,000*l.*, and the saving to the public would on the whole be little less than 100,000*l.* by letting the proposed site for buildings which would in no respect interfere with the front of St. Martin's Church.

Mr. *Hume* was anxious to obtain further information regarding another building. He had observed a great deal of scaffolding about Buckingham Palace; had any increased expense been incurred there, or was it intended to complete the whole on the scale and plan already submitted to the House?

Lord *Duncannon* could answer the hon. Member exactly on that subject. He was aware, no doubt, that 75,000*l.* had been voted to complete the building under the recommendation of a Committee. It had been stated on that occasion, that as soon as the building was finished, it would be necessary to come to Parliament for a sum for fittings, fixtures, and decorations, and a very large amount had been named for the furniture and fixtures. He had the satisfaction to be able to state, that notwithstanding some changes made in the finishing of the building, it would be completed within the 75,000*l.* voted. The hon. Member had seen a good deal of scaffolding on the side of Pimlico—it arose from Government having failed in purchasing at any price which could be justified, that part of Pimlico which was required. It had, therefore, been necessary to make offices on that side of the palace; they were of stone, in order that they might have a handsome appearance, and they had been carried further in order to give the public the accommodation of a wider turning than before existed. Perhaps the hon. Gentleman meant to allude also to a scaffold in front of the palace; that was connected with what was called the marble arch, and he was happy to say, that it had been paid for before the repairs of the palace were entered upon. Parliament would have to provide in some way for fixtures, furniture, and decorations, and he (Lord Duncannon) thought, that he should be warranted in asking a grant for the purpose even in the present Session; if not, between this date and the next meeting of the House, the works must be suspended that would otherwise be entirely finished. It had been proposed, that the sum required for furniture, fittings, fixtures, and decorations should be taken out of the land revenues of the Crown, and for that purpose a Bill would be necessary. If it would be any satisfaction to the House to hear his opinion as to the amount, he had taken some trouble to be able to state, that 50,000*l.* would probably be sufficient. It was the express and gracious wish of his Majesty, that no more gilding and decoration should be introduced than was necessary, and he was also anxious that the furniture should not be of the expensive and extravagant description originally contemplated.

Sir *Robert Inglis* reminded the House, that the intended gallery was for sculptures as well as for paintings. Another point was whether at Whitehall a good light could be obtained for the pictures. He was quite aware, that the public feeling could not in any degree be outraged by converting the chapel into a gallery, as it had never been consecrated. This fact, however, was not universally known. He expressed his regret, that when the new room for the King's Library was built, the notion of a National Gallery had not been entertained.

Lord *Duncannon* remarked, that a gallery for pictures only, and not for statues, was originally contemplated. As to the second point of the hon. Baronet, he could state, that the chapel in Whitehall had been examined by competent persons, who had assured him that it was peculiarly adapted for the reception of the national pictures, the light would be extremely good, by placing them upon screens between the windows. It was undoubtedly true, that the building had never been consecrated; and when the project was mentioned to his Majesty, he was pleased to express his entire approbation of it. As to the extent to which Ministers were pledged, he must say, that he thought they were pledged to the architect to the extent of the grant already made for this object by Parliament. That individual had been directed to prepare a plan upon the scale of 50,000*l.*, and tenders had been received for the contract. After the grant of 50,000*l.* had been made, two or three persons of science were appointed to look over the plan, and some alterations had been suggested by them, one of which was the change of the line of the building, and another increasing its elevation. Of course these alterations would increase the expense, and it was supposed, that if 62,000*l.* in the whole could be procured from Parliament, tenders and contracts might be made, and the work be commenced. Afterwards, when it was found that not less than 75,000*l.* would be sufficient, the work was at once stopped.

Mr. *Warburton* wished to impress upon Government, that whatever site was selected, it ought to be capable of extension; and he ventured to doubt whether the gallery at Whitehall would be capable of extension. It might be suited for a temporary deposit of the pictures, but not for a permanent gallery. Individuals might, and no doubt would, make valuable bequests and donations to the gallery, and there ought to be room to add pictures as they were obtained. He begged the noble Lord to state what, from first to last, the marble arch at Buckingham Palace had cost the country.

Lord *Duncannon* said, that the point, whether the gallery at Whitehall could not be extended, had been considered; and it was thought that it might. As to the last question put by the hon. Gentleman, he (Lord Duncannon) doubted whether it would be any satisfaction to him to know the whole cost of the marble arch. It had certainly been very expensive, and a proposal had been made to pull it down; but it was thought, that that would be a fresh source of charge, and that the best mode would be to finish it merely as it stood at present. Originally it had been designed to make it much higher, but it was considered that in that case it would overbear the palace. He had the pleasure of assuring the hon. Member and the House, that the marble arch had been entirely paid for, though it had already cost 70,000*l.*

TITHE ARREARS (IRELAND).] Mr. Littleton moved the Order of the Day for the second reading of the Arrears of Tithes (Ireland) Bill.

Mr. *Wilks* put it to the right hon. Gentleman whether he would proceed with a measure of this kind without further estimates as to the sums which were to be supplied. This Bill was to grant an advance of 1,000,000*l.* of the public money to the clergy of Ireland, who could not collect their tithes. Surely they ought to have some correct estimate before them, in order to justify them in voting so large a sum.

Mr. *Warburton* said, that there were two points in which this grant was to be looked at—first, one of regret, that a sum of this amount was to be screwed out of the pockets of the people—and next, of satisfaction that the people of England must now see, that if the Government would force a religious establishment upon the majority of the people of Ireland, they (the English people) would have to pay for it. We had before to pay for this establishment directly and indirectly; but the measure now before the House asked for direct payment from this country; and for his own part, in order to spare the shedding of blood, if the establishment were to be kept up at all, he preferred the direct mode of paying; but he hoped the people of England would consider well that this was the effect of continuing to force a religion upon a people which they did not like.

Mr. *Littleton* hoped, as the question now before the House was only for reading the Order of the Day, that hon. Members would not go into the discussion. He hoped they would allow the Order of the Day to be read, and the discussion to come on in its proper place, when he should be able to satisfy the House that, though a million was nominally to be voted, the whole of that sum would not be required.

Mr. *Hume* had every objection to allow the Bill to advance even so far as the reading the Order of the Day. The proposition which it involved was most monstrous; that a grant of 1,000,000*l.*—for he could not view it in any other light—was to be made from the pockets of the people of England to keep up an establishment which the majority of the people of Ireland did not want, but which was even far greater than was necessary, for those for whom it was more immediately intended. If such a measure as this was now necessary, he would say that Ministers ought to be impeached for their conduct in the last Session in bringing forward a grant of a large sum to be paid in lieu of tithes. What had they done? They stated that if that sum were advanced, and if the claims of the clergy were transferred to the King and collected in his name, there could be no difficulty about the collection, and that the money then advanced would be easily repaid. The King was thus made a sort of general tithe-proctor, and to be enabled to use the military force of the land in the collection of those transferred arrears. He knew, and he stated at the time, that the project would not succeed; and how, he would ask, had it turned out, after this advance of 100,000*l.*? The Government proceeded to the collection, and out of the sum of 104,000*l.* they collected only 12,000*l.*, and that, too, it should not be forgotten at an expense of 28,000*l.* To get even that sum they were obliged to increase the military force of Ireland to a considerable extent. He had stated at the time that if, instead of sending over five battalions, they were to send over fifty battalions of troops, the effect would be the same; the people of Ireland would not pay while under the indignant feeling that a religious establishment had been forced upon them, and he was sure that that feeling was continued up to the present hour. Yet now Ministers came with this proposition for granting a million of money instead of tithes, which they ought to know it would be impossible to collect. He would ask was it decent to force on a discussion so important as the present, when the Bill itself had been in the hands of Members only that morning? He hoped that Ministers would consent to put it off till to-morrow, in order to give time for its better consideration. He had read the Bill three times over, and he had asked the opinions of others upon it, and he protested that he did not understand it himself, nor had he met any one who did. It was his intention to move a call of the House for to-morrow, in order to get as large an attendance as possible, for he was sure it would not give satisfaction to the constituency, if a measure so important as this was passed in a House of only eighty or ninety Members out of 658. It was monstrous that such a proposition should be made at all after what had taken place last year. How was the money then voted to be repaid? He would contend that Ministers should be made to repay it if they could. It was his intention to have proposed to refer the matter to a Committee up-stairs, in order to have it considered whether there was good security for the money to be advanced. He should have no objection to consent to the Bill, provided the repayment of the money was to be secured on the temporalities of the Irish Church. But no such security was offered; the whole was to fall upon the people of England, and this, too, at a time when they were crying out under the pressure of taxation and praying for relief, and when they were told that the Government could not afford to remit any of those taxes of which the people complained most loudly. He understood that the proposition was to be, that from November next the tithes were to be collected from the landlords where there were only yearly tenants, and from the tenants where the land was held by lease, and that the collection was to extend to the arrears of three years. Was this fair to the landlord or the tenant, or would the people of Ireland submit to it? It was said that the people of Ireland would be quiet after this. They might indeed well be quiet if their tithes and their taxes were paid by the people of England; but if the money now advanced were to be repaid, and to be collected from the landlords and tenants of Ireland, would they consent to pay for an establishment which they did not want, and which they felt was forced upon them? The Irish landlords said "Show us what this is for, let us see an estimate of what is actually wanted for your establishment; let us have some evidence of your disposition to bring down the expense of that establishment to the wants of the country, and then we shall be content to pay a statutable cess; but until then we will not pay it." He would ask whether, after paying for a military establishment of more than 20,000 men, they were now to pay 1,000,000*l.* from the pockets of the people of England to keep up that rotten establishment? Were they prepared to go on paying this sum of 1,000,000*l.* from year to year? He was sure that if the present House did it, the people of England would, when the opportunity offered, mark their sense of the conduct of those who dared to dispose of the public money in such a manner. He would say, then, let the Church establishment in Ireland be reduced to its proper limits, and if there were any deficiency in the amount of tithe, or difficulty in its collection, as no doubt there would, let that deficiency be made up out of the temporalities of that overgrown establishment, and thus the matter would be set right; for he had no hesitation in saying that if the noble Lord

(Lord Althorp) would give up the Church property, and come to the House with an estimate of the expenses which the Protestant establishment in Ireland really required, and no more, the House would have no objection to assent to it. He for one would be ready to give it his hearty concurrence; but it was too bad, that after the whole of that immense property accruing to the Church in Ireland had been swallowed up, the Government should come to the people of this country and ask for a million of money to make up the deficiency of the tithes in Ireland. The people in this country would not be satisfied with such an application of their money, and he was sure that the people of Ireland would not consent to repay the money when advanced. The attempt to collect it from them would, he was sure, be attended with more discontent, and probably disturbance. The people of a country were never discontented without a good cause, and he was convinced that in the measure then before the House such cause would soon be afforded. If the Government had acted with firmness, and not yielded to the advice of the Tories —if they had acted independently, they would not be in the difficulty in which they were now placed. If they had appropriated the revenue which would accrue from the proposed change with respect to the Irish Bishops to the purpose of making good any deficiency in the tithe, the case would be different. He repeated, that he should have no objection to the Bill, and he was sure the public would have no objection to it, provided the money thus advanced were to be secured upon the property of the Irish Church. He should like to have a lien upon that property. He thought they ought not to advance one step until such security was given. He hoped that his right hon. friend would allow twenty-four hours at least for the better consideration of the Bill.

Mr. *Littleton* observed, that the hon. member for Middlesex begged delay—delay even to the moderate extent of twenty-four hours, and to that request he should not perhaps have been disposed to refuse his consent, had it not been accompanied by a speech, the character of which was anything but moderate. That speech compelled him, however reluctantly, to enter somewhat into the details of the question. He thought that on a former occasion, he had laid before the House details amply sufficient to satisfy every hon. Member, and to supersede altogether the necessity of again troubling the House. The hon. member for Middlesex had complained that sufficient information had not been laid before the House. Now he was at a loss to see what information could be required beyond that which was contained in the estimate, and the papers by which it was accompanied. The hon. Member had fallen into a grand error if he supposed that the money required was only for the compensation of the clergy; it was no such thing; it was for the lay impropriators. The question resolved itself into this, would the Parliament, or would they not, support property in Ireland, and yield it the necessary protection, not merely the property of the Church, but property generally? He felt it would not be necessary for him to detail minutely what had been the nature of the extensive attacks made upon property in general in Ireland, but the hon. Member had in some degree driven him to say something. Since the commencement of the present Session, there had been as many as 210 applications to the Irish Government for military assistance to aid in the collection of the tithe. The right hon. Gentleman then went into the particulars of the affray at Middleton, in the county of Cork, and into several of the cases that occurred in Kilkenny and other parts of Ireland. He had no difficulty in saying, that if the present Bill were not passed, war, in its most alarming form, must be the immediate consequence, and the most grievous sufferings to individuals of all classes must ensue. Such was the state of things at the present moment in Ireland, that, within the last three or four days, a process server was in such imminent danger of being assassinated, that had he not been lodged in the county gaol as a place of security, no power in that country could have saved him. As to the amount which formed the principal object of the Bill, it certainly was a million, but he did not think that so much would be necessary. He entertained very little doubt that not above 600,000*l.* or 700,000*l.* would be required. The tithes of a single year did not exceed 670,000*l.* The hon. member for Middlesex asked for security to guarantee the repayment of the million now proposed to be granted. He thought, that the Bill offered abundantly good security for that purpose, and he was sure the House would, in that opinion at least, agree with him, and not with the hon. Member. He would repeat, that unless they were prepared to agree to the present measure, they must be prepared for bloodshed—for civil war, with all its aggravations—during the whole time from the rising of Parliament until its re-assemblage. Supposing, then, that the Bill should prove unsuccessful with the House—an event he could not contemplate without the deepest apprehension—he must then prepare for the painful duty of using those powers which resided in the Executive for the repression of disorder. The duty would be most distressing, but it was one from which he should not shrink. He should be prepared to direct the whole force of the constabulary body, and even of the army, against the resistance which had been raised to the levy of tithes, for with them was bound up the whole property of the country—all must share the same fate.

Mr. *Harvey* was of opinion, that the measure before the House would act as an encouragement to resistance in all similar cases—that it would give some satisfaction to the Irish people he had no doubt, for, of course, no people could be dissatisfied when others come forward to pay their debts for them; but it was a measure every way worthy of the Government, which professed to reform the Church by perpetuating every one of its abuses. They talked of the Church Establishment in Ireland; and how had they dealt with it, and in what manner had they gone about reforming it? By fixing and perpetuating an income for its use of one million and a-half—an establishment not of the slightest advantage to more than half a million of the inhabitants. What would be the next application to Parliament? Why, when landlords found that their rents were failing, they had nothing to do but come to the House, and state, that an unconquerable combination againstrents had been formed, that nothing could at present be obtained from their tenants, and that they must request of Parliament to recognize—such would be the delicate phrase—a loan for five years to meet the emergency. But had all that come upon them as a matter of surprise? Had Government no intimation of the approaching storm? Were there no symptoms to warn them of the danger of endeavouring to oppress nine-tenths of a nation for the advantage of the remaining tenth? If they went on with Bills such as that, they might rest assured that they would have nothing but complaints of the non-performance of contracts—the case of tithes was nothing but the non-performance of a contract. If the clergy of Ireland were in distress, why did they not apply to those who wore the same cloth? The Established Church was the United Church of England and of Ireland, and there was a large fund in this country applicable to any of the purposes of religion—he alluded to Queen Anne's bounty. It might be said, that that fund, though it amounted to 1,500,000*l.*, was not applicable to any but defined purposes, and could not be diverted from these. Perhaps the House would recollect that it was only two Sessions ago when 60,000*l.* of that fund was taken for the improvement of the Archiepiscopal Palace on the opposite side of the river. The fund might be diverted into such channels as that, and in order that the turrets and the battlements of Lambeth might overawe that House. The sum in question was to be repaid by the Bishop. Let the Irish clergy go to the same fund, and then there would be some chance of any advance that might be made being repaid; the trustees would probably take care of that. He objected to the proposed grant of 1,000,000*l.*, which was to come from the pockets of an overburthened people, in payment of the arrears of a clergy the most richly endowed, and the greatest paupers in labour in the world. The right hon. Gentleman appeared to have screwed his courage up to the point of vindicating Christianity by depopulating mankind; but if the right hon. Secretary continued long in office, he would see the tithe-payers of England imitating the non-tithe-payers of Ireland, and the latter imitating and extending their own examples by resistance to rents. When such a crisis should arrive, how would the present Government, if still in office, act? Of course it would proceed as it now did, in that manner, which of all others, was most satisfactory to debtors, by giving them the money which they refused to pay. Such a principle carried with it not only an invitation, but a reward for resistance, and struck at the root of all property. He objected to the present mode of dealing with the Irish Church, as being not only bad in itself, but bad as an example to England, and tending to shut out those hopes of reform in the establishment which the people of this country entertained. The revenues of the English Church did not exceed 4,000,000*l.*, and the number of persons in communion with it might be taken at 7,000,000 or 8,000,000. Now, if a revenue of 1,500,000*l.* were not too much for the Irish Church with its congregation of half a million of people, it followed that the present income of the English Church was by no means too great, and thus all hope of Church Reform was put an end to, not only in Ireland but in England. Parliament was expected to wind up all by calling on the people of England to subscribe a million of money to pay the deficiencies of tithes in Ireland. It really appeared to him, that it would be impossible for the greatest enemy of Government, with the most malignant heart, and by an exercise of the most perverted ingenuity, to devise a plan more fatal to the expectations of the people, or the character of the Government, seeing that it was directly at variance with the principles on which they had hitherto professed to act.

Mr. *Shaw* said, there were three points in the speech of the hon. Member (Mr. Harvey). He stated a principle in which he (Mr. Shaw) entirely concurred. He entered into a calculation of figures which he (Mr. Shaw) would prove to be completely erroneous; and then the hon. Member indulged in some eloquent declamation against the Irish Church, which appeared to him (Mr. Shaw) to be altogether inapplicable to the question then before the House. The principle in which he agreed with the hon. Member was, that the whole course adopted by the present Government, in respect of the clergy of the Established Church was holding out a bounty to insubordination, and affording an example of successful resistance to a legal demand which no doubt would be followed in other cases. With regard to the assertion of the hon. Member, that the property of the Irish Church amounted to one million and a half he was grossly mistaken; he had exaggerated its value more than double; and the fact was, that, instead of 1,500,000*l.*, the whole annual income of the Irish Church was not 700,000*l.* The matter was reducible to a certainty from official documents before the House. The clerical tithes very little exceeded 500,000*l.* The joint incomes of the Bishops were calculated at 130,000*l.*, and the glebe lands amounted to about 20,000*l.*; so that he had left a considerable margin for the hon. Member's fancy, when he denied that the entire property was the half of what the hon. Member had stated. Then nothing could be more foreign to the present subject, than whether or not the real and permanent interests of the Established Church in Ireland were to be supported or not; for he (Mr. Shaw) fully coincided in opinion with the hon. member for Bridport (Mr. Warburton), and those other opponents of the Church, that these annual grants and temporary expedients being substituted for the long established and legal rights of the Church had a far different tendency than to its ultimate advantage; and this led him to give to the hon. member for Boston (Mr. Wilks) the answer to the question which he had asked his Majesty's Government, and which they had declined to give, but which was nevertheless the true one. The hon. Member had inquired, what was the ground of their applying to the country for 1,000,000*l.*?—why they did not lay something in the nature of an estimate before the House? He would tell the hon. Member the real, general, and what must be the principal, item in their estimate—and it was this: that, in the month of June last, when the influence of the law had been in some degree restored in Ireland, and the Government had tardily entered upon the duty of vindicating its desecrated authority, the clergy, like every other class of the King's subjects, began to feel the effect, and were recovering, by legal means, their long and unjustly withheld rights; the tithe was being gradually and regularly paid; when suddenly the Government, which had the week before been proceeding with all the vigour of the offended law, relaxed every effort, and proclaimed, from one end of the country to the other, that all proceedings against tithe defaulters should cease—that they would withdraw all assistance from those who were on the point of establishing their just claims against those who had been leagued in an unlawful combination against them; and the consequence was, that in proportion to their obedience to the law were those who obeyed it made to suffer; and in exact proportion to their resistance to it were the most refractory rewarded. The Government, but more particularly the noble Lord (Lord Althorp), at the same time, undertaking to pay to the clergy the tithes of the present and the last two years: thus, in his (Mr. Shaw's) mind, producing a great evil, and providing a very insufficient remedy. However, such was the ground of the present measure. The right hon. Gentleman (Mr. Littleton) denied, that the law could have been enforced—but the very case of Midleton, to which he referred, proved the very reverse; for though those at Midleton, who were, be it observed, merely serving processes, were driven back the first day, in some manner which he certainly had never heard satisfactorily accounted for—yet, on the matter being followed up with vigour on a succeeding day, the object was accomplished, and the law maintained. As to the numerous other cases cited by the right hon. Gentleman, most of them occurred before the period he alluded to; and outrage was giving place to some return of order, when the extraordinary change was made in the conduct of the Government; but even supposing it to be as stated by the right hon. Gentleman, was not yielding to the lawless opposition he described falling into the error which he himself deprecated, and which the hon. member for Colchester so well described, of sanctioning insurrection, and encouraging violence? He was glad to hear the right hon. Gentleman say, at length, that supposing the Bill to be rejected, the Government must again resort to all the means they had before taken, and so suddenly relinquished, of enforcing the just demands of the clergy against whom this organized combination had been entered into, should even bloodshed and confusion be the consequence. But under what great disadvantages would they recur to it after having shown so much timidity and indecision before playing this see-saw game—one time too relaxed, and then necessarily too severe. Ireland would be sacrificed to this miserable and temporising policy. A little firmness in due season would have saved all the necessity for the undue and unconstitutional harshness which must now be used. It was owing to that system, as well as to the provision in the Bill of last year, which the Government would introduce in spite of the remonstrances against it—that no costs should be recoverable against a party, however vexatious in his opposition—that the Government had not recovered more of the tithes of 1831—but the show of determination with which they commenced had the effect of causing the tithes of other years to be paid to the clergy, who could recover costs against contumacious defendants. The question now was, whether the Government, having caused the mischief, as he sincerely believed from all the information he had received on the subject—and having reduced that most ill-treated body of the Irish clergy to the utmost destitution—and left them no other redress but that promised by the noble Lord, the House would refuse to give them relief. For his own part he felt no gratitude was due to the noble Lord for the proposal; on the contrary, he considered that it would inflict a lasting infamy on the interests of the establishment, and entail on the country the evil results of a successful resistance to a lawful right. If the whole sum were granted (to say nothing of the exorbitant and unjustifiable deductions) it would be no equivalent for the ill-advised interruption of its recovery by the ordinary and accustomed remedies known to the law, and the influence of which would have incidentally benefitted the whole state of society. Sooner or later the question must be decided, whether the authority of the law, or of those who systematically opposed it, was to be permanent in Ireland; but now he must give his reluctant support to the only measure of relief which the weakness of the Government had left open; and after the manner in which the noble Lord had committed himself on the subject—the noble Lord could not deny it—he would say, without hesitation, that, as a man of honour, the noble Lord must resign his office if the House rejected the Bill. He repudiated the notion of the grant being a boon to the Church; he denied that it was even an act of common justice to the clergy, who had been deceived by the Government; but the Government could not now desert them in the difficulties which the Government had occasioned, without a violation of every principle of honour and good faith.

Mr. *O'Ferrall* regretted to hear from the right hon. Secretary, that, in the event of the Bill not being carried, there must be a renewal of the scenes of last year: he believed that the people of England would rather risk the loss of the whole sum than contemplate a revival of those scenes. For his own part he should support the measure, not only with a view to avoid such a crisis, but because, it having been admitted, that the Protestant Church of Ireland was imposed upon that country by England, and that its maintenance was necessary to uphold the union of the two countries, he thought it only fair that this country should pay for it. This he must state, that great danger would arise from placing the landlord in the place now occupied by the clergyman. He (Mr. O'Ferrall) had only left Ireland on Friday last. The statement of the right hon. Gentleman had then arrived there, and he (Mr. O'Ferrall) had a conversation with several landlords on the subject, who unanimously expressed an opinion as to the danger of mixing up tithe with rent. The question here was, whether 20,000,000*l.* might not be lost in attempting to recover 1,000,000*l.* The attempt, besides, after renewing the scenes of disorder and bloodshed that had been witnessed in Ireland, might prove to be a fruitless one.

Lord *Ebrington* said, that he would very briefly state the reasons which induced him to support this measure. He would not support this Bill if he thought that it went to give, as some hon. Members had said, a premium to violence and insubordination in Ireland, neither would he give it his support if he imagined that it would have the effect which the hon. member for Middlesex seemed to wish for, namely, that of sweeping away the Church of Ireland altogether.

Mr. *Hume* said, that what he had stated was, that he thought Parliament should in the first instance proceed to consider the question of the reduction of the Church Establishment of Ireland.

Lord *Ebrington* said, that while he was one of those who thought that that Establishment was much greater than it ought to be, yet he must say that several measures had been brought forward this session by his Majesty's Government to reduce it, and establish it upon a better footing, and he considered the present measure as one amongst the number. He would not support this measure if he thought that it meant, as some hon. Members had said it did, that this should be considered as a tax imposed upon the people of England, for the relief of those persons who had resisted the payment of tithes in Ireland. He had heard what had fallen from the hon. member for Kildare with great regret, the more especially, as on the occasion when his noble friend, the Chancellor of the Exchequer, originally broached the present proposition of the Government, that hon. member, if he remembered rightly, stated, on behalf of the landlords of Ireland, that they would willingly undertake the burthen which it was proposed to throw upon them for the sake of pacifying the country, and of putting an end to the conflict that existed there with regard to the collection of tithes. By this measure relief would be afforded to the clergy of Ireland. A great inducement was also held out by it to the Irish landlords and their tenants to relieve their country from the distracted state in which it was at present, owing to the collection of tithes. He trusted, that the spirit of liberality with which this was now granted by the people of England would be met with a corresponding spirit of liberality on the part of the Irish landlords and the people of Ireland, and that the people of this country would not ultimately have to complain of a want of good faith with respect to the repayment of this loan.

Mr. *O'Ferrall*, in explanation, begged to say, that the statement to which the noble Lord had alluded had been made in the last Session in a discussion on the measure with regard to tithes, then brought forward by the noble Lord, the Chancellor of the Exchequer. On that occasion, when some Protestant landlords, members of that House, protested against having such a burthen thrown on them, he (Mr. O'Ferrall) said, that the Catholic landlords would not refuse to take such a burthen on themselves, if they thought that in doing so they would rescue their country from the disturbed and distracted state into which it was plunged. That was what he said then; he said the same now.

Mr. *Warre* said, that feeling it to be his duty on this occasion to dissent from the proposition made by his Majesty's Government, he was anxious, in a few words, to explain the reasons which induced him to do so. From the first moment that this proposition had been made he could not avoid regarding it with a degree of suspicion, and after looking carefully through the Bill, he could not find any provisions in it that could prevent this loan from being converted, as no doubt it would be converted, into a gift. Now, for his part, he could not consent to put in jeopardy so large a sum as was proposed to be granted by this measure. If he thought, that there was the least chance that this Bill would produce ultimate tranquillity in Ireland, he would not oppose it; but viewing it as he did, seeing that there was no probability of its producing permanent security—seeing that the sum was one that should not be given as a grant, in order to be converted into a gift—and being certain, that if it should be now voted, the burthen would ultimately fall upon those who should not bear it, namely, the people of England, he should oppose the present measure.

Mr. *Aglionby* said, that he could not allow this Bill to pass a single stage without expressing the strongest opposition both to its principle and its details. This measure offered a premium to the violators of the law, and instead of being one that could be described as intended for the protection of property, it was a direct spoliation of, and attack upon, property. He trusted, that the House would not sanction such a measure. Parliament ought to have taken steps long ago to reduce the Church Establishment of Ireland, and, until that was done, there would be no chance of the restoration of tranquillity in that country.

Lord *Althorp* was anxious to state to the House the circumstances under which this question was now being discussed. It had been said, that his Majesty's Ministers had, by different measures in the course of the present Session, endeavoured to settle the question of tithes in Ireland, and a measure, the Coercion Bill, which had been passed at the commencement of the Session, had been quoted as one of those measures. He was aware, that during the progress of that measure through the House, several of those Gentlemen who opposed it had, amongst other objections to it, repeatedly asserted, that it would be employed for the purpose of enforcing the payment of tithes in Ireland. To that assertion his Majesty's Ministers had over and over again given the most unqualified contradiction, and in order the still more completely to convince the House that the Coercion Bill was not intended for the purpose of enforcing the collection of tithes, he (Lord Althorp) recollected that, upon one occasion, in the course of those discussions, he stated in his place in that House, that it was the intention of Government to submit a proposition to the House that would render the future collection of tithes in Ireland unnecessary. It was too much then to assert, as some hon. Members now asserted, that the Coercion Bill had failed in enforcing the collection of tithes. It was never intended for any such purpose. If his Majesty's Ministers had thought proper to break faith with the country and with Parliament, the collection of tithes might be secured under that Bill; but if they had done so, they would have committed the grossest breach of faith towards the people of England that could have been committed. The effect of the Coercion Bill had been the suppression of outrage, and the restoration of peace and tranquillity in Ireland, as had been anticipated by Government when it was brought forward; but no sooner had that effect taken place, than they found that generally all over the country processes were set on foot for the payment of tithes, and it was plain, that advantage would be taken of the Coercive measure for the purpose of enforcing such payment. Now, the Government had pledged itself that the coercive measure should not be employed for that purpose, and he did not deny, that one of the objects of the Government in bringing forward the present measure was, that the issuing of processes for the collection of tithes in Ireland should cease. The Government had redeemed its pledge to the House and the country in bringing forward this measure, and the question was, whether proper security was not afforded for the repayment of the money which the House was called upon now to advance. He did not ask the House to assent to this proposition, except upon that condition. With regard to the details of the measure, and the means by which it was proposed to carry the objects which it had in view into effect—in the first place, it was proposed to advance a certain sum to the clergy of Ireland, who in receiving it, would become debtors to the Crown for the amount. It might then be asked, what were the means by which it was proposed to secure the repayment of this sum? It was proposed, that the money so advanced should be paid out of the tithe composition money. Thus to the clergy would be afforded a less onerous and difficult mode than they at present possessed of recovering their dues, while ample security was given for the money so advanced by the Government. But it might be said, that the measure he had alluded to would not succeed. It was possible that the measure for the composition, or rather, as it might be more properly termed, the measure for the permanent commutation of tithes in Ireland, might fail, and that the clergy would receive nothing under it. No Gentleman in that House, however hostile he might be to the Church Establishment, or to the system of tithes in Ireland, had ever said, that the present incumbents should not be paid their incomes. He was therefore justified in saying, that it was the unanimous opinion of the House and of Parliament that the present existing incumbents should be paid their incomes. Now that being the case, it being acknowledged by all that no matter what arrangement might be made prospectively with regard to the Church Establishment in Ireland, the living incumbents had undoubted claims to their incomes. This sum would be advanced upon the security of those incomes, and would, in fact, be advanced to the clergy of Ireland as a lien on their incomes, payable by the people of Ireland. The security was as good and as certain as could be had for the repayment of any loan. Government would not be justified in proposing this advance as a grant; it was only justified in proposing it under the provisions for repayment contained in the Bill. He was willing to acknowledge, that the Government was bound in honour to the clergy of Ireland, whom they had prevented from proceeding with the enforcement of their claims under the existing law to bring forward the present measure. They had brought it forward, and they should feel it their duty to carry it through Parliament.

Sir *Robert Inglis* said, that however he might differ from the noble Lord with respect to the principles of this measure, under the circumstances of the case he felt it his duty to give it his support. The question in this instance regarded not the expediency or inexpediency of a Church Establishment in Ireland; but the question, as had been properly stated by the right hon. Secretary for the Colonies, was, whether law and property should be upheld in Ireland? The hon. member for Cockermouth was altogether wrong in attributing the disturbed state of Ireland to the existence of the Church Establishment in that country. With the exception of the Munster insurrection, about fifty years ago, there had not been a single disturbance or general insurrection in Ireland which had been characterised by a resistance to the payment of tithes, until a very recent period. The House should not forget, that the present measure went to secure the recovery of their property to laymen as well as to clergymen. It was not fair, therefore, to say, that this advance was made for the support of the Church Establishment of Ireland. It would be quite inconsistent with the duty of the noble Lord not to bring this measure forward, and it would be inconsistent with his (Sir Robert Inglis's) duty not to give it an unqualified support.

Mr. *Ruthven* said, that, upon principle, he felt it his duty to oppose the measure now before the House. He could not give his vote for a proposition which would prove only a temporary expedient for continuing a Church Establishment in contravention of the feelings of the vast majority of the people of Ireland.

Mr. *Poulett Thomson* said, that he had as yet never taken any part in the discussions upon this Bill, but he owed it to the House and to himself to give some explanation of the vote which it was his intention to give. He found those hon. Gentlemen who might fairly be presumed to represent the extreme opinions prevailing in Ireland differed materially concerning the measure now under the consideration of the House. The hon. and learned member for Dublin had expressed himself willing to support this vote, because it was a grant from England in aid of the distresses prevailing in Ireland. The hon. and learned member for the University of Dublin (Mr. Shaw), although he did not altogether support the vote upon these grounds, yet he had expressed the strongest doubts as to the repayment of these monies, in case, by the decision of the House, it should be granted. He must say, that however painful it might be to him to differ from those with whom he had been accustomed to act, yet, if this measure should be passed on such grounds, he should not hesitate to sacrifice his personal feelings, and give his vote and raise his voice against the proposed grant. Nothing would be more improper or more at variance with his own feelings, and also contrary to what was due to his constituents and his own character, than to vote away the money of the people of England for the support of a Church Establishment in Ireland, without the chance of repayment to this country, as had been thrown out in the course of the present debate. But he should ground his vote upon the present occasion upon the assurance of his noble friend the Chancellor of the Exchequer, and of the Government generally, that the money should not be so taken from the people of England without means being resorted to for the collection of the debt owing to the Irish Church from those from whom it was due. If he was not assured of the security of the repayment in this respect, he should most unquestionably vote against this grant. He must also remark, in reference to what had been urged in the course of the present debate, that in his judgment tithes which were not collected for the purposes of the Church should not go into the pockets of the landlords, but, on the contrary, should when so collected, be applied to the purposes of the State. He never would consent that such property should be alienated from state purposes for the benefit of the landlords in Ireland. Relying, however, as he did, that means were provided for the repayment of this grant, he should give his vote in support of it. He should do so under the full conviction, that it was merely a loan to Ireland; if he could imagine it was designed as a gift, he should be the first man in the House to oppose its being made.

Colonel *Torrens* observed, that Mr. Pitt, in his speeches upon the Roman Catholic question, had opposed the maintenance of a Church Establishment in Ireland, and the same feeling had been expressed by Dr. Paley. He should give his vote for the present measure. It had been said, that it was possible to put an extinguisher upon the demand for Church Reform, but he would remind the House, that the Dissenters having attained a pre-eminent weight in this country, they had heretofore directed their attention to the great question of slave emancipation; but that question having now been put an end to, they would at once apply their attention to a full and efficient Church Reform, both in Ireland and this country. He (Colonel Torrens) relied upon the liberal opinions expressed by the right hon. Gentleman, the present Secretary for Ireland; and, convinced, as he was, that no Ministry would long exist which should refuse such a Church Reform, he should give his most cordial support to the present Motion for a grant, and with the full persuasion that the grant was a loan, and not a gift, and that if the Church property in Ireland should be found insufficient for this purpose, the loan should be fixed upon the whole property of Ireland. He was also fully satisfied, that the people of England would not accede on other terms to so profligate a waste of the public money.

Mr. *O'Reilly* was of opinion, that some gratitude was owing to the Government for bringing forward a measure well calculated to put an end to a system which had already given rise to and occasioned so much bloodshed in Ireland. He protested strongly against the supposition which had been much promulgated, that a wish prevailed to put the tithes in the pockets of the landlords. The tithe system was not new to the House or the country; history presented the same story for the last hundred years. He should not vote for the measure, on the grounds that the grant would never be recovered; on the contrary, he was satisfied, that Church property in Ireland afforded an ample and a full security. He also would, as a Roman Catholic, say, that the Roman Catholics had no wish to resist the payment of that which was legally due, or to uphold a resistance to tithes because they were paid to a Protestant clergy. He was most ready to deprecate the tithe system, established as it had been by the Roman Catholics themselves. He only hoped, that there would not be left in the tithe owner the power of keeping up the excited feeling which it was the object and design of the present measure to allay.

Sir *Samuel Whalley* rose to oppose the measure. Great as were the difficulties which surrounded the Government regarding the situation of the clergy, he could not but oppose it. He was surprised, that the hon. member for Oxford had been able so soon to overcome the difficulties which he himself had raised. He thought, that the hon. Member had forgot, that this measure would be a blow, not only to Church property, but to property of every description both in England and

Ireland. For these reasons he should think it his duty to give this measure, in all its stages, his most decided opposition.

Mr. *Edward J. Stanley* said, that he never could consent to such an appropriation of the money of the people of England, unless he felt fully satisfied that the proposed grant would be repaid. If some easy means were not secured for the ensuring the recovery of these advances, or, in other words, that the repayment of the loan should not be secured, he would himself move the introduction of a clause into the Bill, to the effect that the first deductions from the sale of church lands should be appropriated to the repayment of the present proposed loan of one million.

Mr. *Dominick Browne* understood the opinion of the Government to be, that the Church-property in Ireland should be diminished, and given to the State, for the purposes of assisting the Roman Catholics and the Protestant Dissenters of this country; and he must assure his Majesty's Government, that they would find it to be their duty, early in the next Session of Parliament, to bring forward a measure of that kind. The Government could not be aware what was the opinion of the majority of the House relative to Church-property; but he sincerely hoped, that majority would be in favour of taking away at least one half million of that property; and he further trusted, that in the next Session his Majesty's Ministers would come forward with a measure for that purpose. He could say, that unless this were done, the proposed loan would never be repaid. He would put it to the English, Irish, and Scotch Members of the House, whether it was worth while to ensure the peace of Ireland for four or five years longer, by the advance of 1,000,000*l.* as proposed. If, however, that grant was not now made, the peace of that country could not be maintained.

Mr. *Philip Howard* felt that, however deplorable the system of tithes in Ireland might be, it was the duty of Government to enforce it, so long as it existed, in the way least onerous and irritating to the people. The present Bill went to vindicate the rights of property, lay, as well as clerical; it would, he trusted, afford that calm and breathing time requisite to prepare the way for improved arrangements and a better system—a truce preparatory to a lasting peace. The prophecies of those who asserted that the loan would turn out to be a gift, would not, he thought, be verified, as Government had ample security for its repayment. But, be that as it might, consistently with maintaining public tranquillity, they had no other course left to pursue.

The Order of the Day read.

Mr. Littleton moved, that the Bill be read a second time.

Mr. *Hume* objected to keeping up a Church Establishment, which was the cause of continued dissension in the country, and to support which establishment this grant was now sought. The admission of the right hon. Gentleman opposite was, that he would place himself at the head of the troops, in order to enforce the payment of the arrears. The admissions which had been made equally proved that all the disturbances arose from the Church Establishment; nay, even the noble Lord had admitted, that such was the feeling of resistance, that he had taken upon himself to forbid all legal process for the collection of tithes. What was this but a confession, that the people of Ireland had so great an abhorrence of tithes that not even the powers of the Act of last year, nor the unconstitutional measure of the present Session, with all the aid of military force which this country could command, could not carry the payments into effect. The right hon. Secretary for the Colonies would not deny, that when hs asked last year for the powers which he obtained, that he fully anticipated to be able to vindicate the law. The result, however, had been otherwise; and every month's experience must have taught him that all these powers against the majority of a nation availed him nothing. He (Mr. Hume) was surprised, after this experience, that the Government did not take a lesson, and at once submit to the House the question, whether, by Martial Law should be enforced an establishment which breathed peace and goodwill towards all mankind. It was time now the Church should be so modified as to meet the views and feelings of the majority of the people. The present grant was unwise, and such as no reasonable man could recommend; and feeling satisfied that it never could be repaid, he felt it due to the people of England, who were crying out for relief from taxation; and seeing also that an objection prevailed that this grant should meet the least delay, he should move, that the Bill be read a second time this day three months.

Mr. *Cobbett* admitted, that the noble Lord, the Chancellor of the Exchequer, could not do less than bring forward the measure now before the House, but, if the noble Lord had gone a little further, and said this Bill was the first instalment towards paying the Irish clergy their salaries, in order that tithes should no longer be collected, the noble Lord should have had his support. The noble Lord, however, did not go that length, and he felt convinced that Ireland would never be at peace, until there was an entire and complete cessation from the collection of tithes. If peace could be restored, he was sure that his constituents, and indeed the people of England, would be glad to make any sacrifice; for when millions were granted to the West Indies, in order to settle quietly the question of slavery, 1,000,000*l.* would not be grudged to Ireland—a country which England ought to estimate 10,000,000 times more dearly than the colonies. It had been clear to the understanding of every man, that so soon as the Catholic Emancipation Bill passed, the Church Establishment could not be continued in Ireland; and unless he had some promise that tithes would not continue to be exacted, he should support the Amendment of the hon. member for Middlesex.

Mr. *Perrin* supported the Bill. It could not be denied, that the present incumbents must be supported, and it was equally plain that, in Ireland, the tithe composition measure could not efficiently be carried into effect.

Mr. *Halcombe* said, that, on this occasion, he felt it his duty to offer a few remarks to the House, and he regretted he should be now met, as on all former occasions (humble and young a Member as he was), by such cries as he now experienced, and amidst which he recognized the voice of the hon. member for North Wiltshire.

Mr. *Methuen* rose to order. He understood, according to the rules of the House, any hon. Member was at liberty to say "Hear, hear!" to any observations which might fall, and until he (Mr. Methuen) heard from the Speaker that such was disorderly, he should not yield in the course he should pursue.

Mr. *Halcombe* said, that the voice of the hon. member for North Wiltshire was perfectly familiar to him on these occasions, though he had not turned his eye to the situation which the hon. Member occupied. He was sure the hon. Member had pursued his course with the same good humour as he (Mr. Halcombe) alluded to it. He felt it his duty to vote for extending relief to the clergy of Ireland, and therefore supported the Bill.

The House divided on the Amendment —Ayes 53; Noes 109: Majority 56.

Bill read a second time.

List of the AYES.

ENGLAND.

Attwood, T.
Beauclerk, Major
Benett, J.
Bewes, T.
Blamire, W.
Brotherton, J.
Buller, C.
Cayley, E.
Clay, W.
Cobbett, W.
Cornish, J.
Dykes, F. L.
Evans, Colonel
Ewart, W.
Fielden, J.
Hall, B.
Hardy, J.
Harland, W.
Harvey, D. W.
Hawkins, J. H.
Hodges, T. L.
Kennedy, J.
Methuen, P.
Potter, R.
Rickford, W.
Rider, T.
Robinson, G. R.
Romilly, J.
Scholefield, J.
Shawe, R. N.
Strutt, E.
Thicknesse, R.
Thompson, Alderman
Todd, R.
Tooke, W.
Tynte, C. J.
Walter, J.
Warre, J. A.
Whalley, Sir S.
Wilks, J.
Williams, W. A.

SCOTLAND.

Gordon, Captain
Parnell, Sir H.
Pringle, R.
Sinclair, G.
Wallace, R.

IRELAND.

Blake, M.
O'Dwyer, A. C.
Ruthven, E. S.
Ruthven, E.
Talbot, J.
Vigors, N. A.

TELLERS.

Aglionby, H. A.
Hume, J.

List of the NOES.

ENGLAND.

Althorp, Lord
Baring, F.
Barnard, E. G.
Bentinck, Lord G.
Bernal, R.
Briggs, R.
Bruce, Lord E.
Burrell, Sir C.
Buxton, T. F.
Byng, Sir J.
Campbell, Sir J.
Carter, J. B.
Chapman, A.
Childers, J. W.
Codrington, Sir E.
Duncannon, Lord
Dundas, Sir R.
Ebrington, Lord
Egerton, W. T.
Ellice, Right Hon. E.
Estcourt, T. G. B.
Fenton, Captain
Fitzroy, Lord C.
Fox, Colonel
Graham, Right Hon. Sir J.
Gordon, R.
Grosvenor, Lord R.
Halcombe, J.
Heathcote, J.
Horne, Sir W.
Howard, P. H.
Hyett, W. H.
Inglis, Sir R.
Labouchere, H.
Langton J. H.
Littleton, Rt. Hon. E.
Lumley, Lord
Lushington, Dr.
Lyall, G.
Maberly, Colonel

Macaulay, T. B.
Mangles, J.
Marshall, J.
Marjoribanks, S.
Moreton, Hon. A. H.
Morpeth, Lord
Mosley, Sir O.
Nicholl, J.
Ord, W. H.
Palmerston, Lord
Peter, W.
Pinney, W.
Price, Sir R.
Pryme, G.
Rice, Hon. T. S.
Ryle, J.
Sandon, Lord
Scrope, P.
Sebright, Sir J.
Sheppard, T.
Skipwith, Sir J.
Spankie, Sergeant
Spencer, Captain
Stanley, Rt. Hon. E.G.
Stanley, Hon. H.
Stanley, J.
Stewart, P. M.
Stuart, Lord D.
Talmash, A. G.
Tancred, H. W.
Thomson, Rt. Hon. C. P.
Torrens, Colonel
Townley, R. G.
Townshend, Lord C.J.
Tracy, C. H.
Troubridge, Sir T.
Verney, Sir H.
Vernon, Hon. G. S.
Ward, H. G.
Willoughby, Sir H.
Wilmot, Sir J. E.
Young, G. F.

SCOTLAND.

Dalmeny, Lord
Elliott, Hon. Capt.
Ewing, J.
Grant, Right Hon. C.
Haliburton, Hon. D.G.
Hay, Colonel L.
Jeffrey, Right Hon. F.
Kennedy T. F.
Mackenzie, J. A.
Macleod, M.
Murray, J. A.

IRELAND.

Browne, D.
Cole, Hon. A.
Evans, G.
Fitzgerald, T.
French, T.
Hayes, Sir E.
Jephson, C. D. O.
Jones, Capt.
Lamb, Hon. G.
Mullins, F. W.
O'Ferrall, R. M.
O'Reilly, W.
Perrin, Sergeant
Shaw, F.
Sullivan, R.
Walker, C. A.

TELLERS.

Smith, V.
Wood, C.

BANK CHARTER BILL.] Report brought up. On Question that it be read,

Mr. G. Wood moved, that the legal tender clause be omitted.

Mr. *Hume* supported the Motion. He conceived the clause in question calculated to cause a depreciation of the currency. He was sorry to find that on this subject, the Ministers had abandoned their former principles. He thought the public interest sacrificed by the Bill, and that of the Bank alone consulted.

Lord *Althorp* denied that a depreciation of the currency would be the consequence of the adoption of the measure.

Mr. *Mark Philips* said, that when he saw the avidity with which the clause in question had been hailed by those who were desirous of altering the standard of the currency of the country, he could not but regret its introduction into the Bill. He should very much regret to see the Bank of England assume the functions of the whole circulation of the country. He was opposed to the clause.

Colonel *Torrens* contended, that no depreciation would be caused in the London district; and, in the rest of the country, the only depreciation would be caused by the expense merely of carriage—so small a depreciation that it might be rated at zero.

Motion negatived.

Lord *Althorp* then moved an additional clause, to the effect that all Bills of Exchange, Bank-Post-Bills, and Promissory Notes issued from the branch banks of the Bank of England out of London should be payable only at the places from which they should be issued.

Clause agreed to.

CHINA TRADE BILL.] Mr. *Charles Grant* moved the third reading of the above Bill.

Sir *Robert Inglis* observed, that it would have been better to allow the trade to remain for some time longer in the hands of the Company, or at least to have allowed them to participate in it along with the private traders. He doubted whether the agents or consuls appointed by the Bill would be recognised by the China government, and believed it would have been better to have had some previous communication with that power.

Mr. *Hume* said, that he should give his support to the Bill. He thought, that there was no fear of collision between our seamen and the Chinese.

Lord *Sandon* inquired when the China trade would be thrown open?

Mr. *Charles Grant* said, that the East-India Company's privileges would not expire until April, 1834; and that, therefore, they would not give up any of their commercial advantages until then.

The Bill read a third time.

Mr. *George F. Young* moved, that the following clause be added as a rider to the Bill:—"And be it enacted, that the expenses of the establishment by this Act authorized to be maintained within the said dominions, shall be defrayed in like manner as the expenses of British consular establishments in other parts of the world are defrayed, under the authority of an Act passed in the fifth year of the reign of his late Majesty King George 4th., entitled 'An Act to regulate the payment of salaries and allowances to British Consuls at foreign ports, and the disbursements at such ports for certain public purposes,' and subject in all respects to the provisoes and regulations in the said Act made and provided."

Mr. Chapman seconded the Amendment.

Mr. Robert Grant opposed it.

Amendment negatived; the Bill passed.

HOUSE OF LORDS,

Tuesday, August 13, 1833.

MINUTES.] Bills. Read a second time:—Burgh Magistrates (Scotland); Parish Apprentices.—Read a third time: —Assessed Taxes Reduction.—Committed:—Separatists Affirmation.

Petitions presented. By Lord SUFFIELD, from Fanfield-in-Openslaw and Darlington, for the Abolition of Slavery; and from Peckham, for further Regulating the Hours for Employing Persons under the age of eighteen in Mills and Factories.—By the Duke of RICHMOND, from three Places, for the Abolition of Slavery.

BURGH REFORM (SCOTLAND).] The *Lord Chancellor,* after moving the Order of the Day for the second reading of the Burgh Reform (Scotland) Bill, said, it became his duty to state to their Lordships the principles and object of the measure in question. In the outset he must express his concurrence in the Bill, which he considered to be salutary and necessary, as it would be the means of effecting a great improvement in the municipal laws of Scotland. The subject had been frequently adverted to in the other House of Parliament, but, excepting that it was incidentally introduced when the Reform Bill was before their Lordships, it had not been the subject of discussion in that House before, as he believed. Having been only incidentally introduced on the occasion to which he had referred, it became the more necessary for him now to enter more at length into the matter, and, in doing so, he felt he should be under the necessity of trespassing upon their Lordships' time longer than he otherwise should have wished; but the subject was, he need not say, one of great importance in relation to that part of the United Kingdom to which it bore reference. With these prefatory remarks he would now proceed to notice the system of the corporate bodies of Scotland. It was well known that, at the present day, a great difference was to be found between the two systems which prevailed in England and Scotland; but, notwithstanding this marked difference in remote times, the system embraced, no doubt, similar principles, and the practice arising therefrom was similar in both parts of the United Kingdom. The question was now involved in obscurity; yet, three or four centuries ago, the same principles and practice, in all probability, prevailed in Scotland and England with respect to Corporations. That, however, was matter rather for the investigation of the legal antiquary than for a Legislative Assembly. The rights of election with respect to the officers of burghs in Scotland were, as he had intimated, similar to those exercised in this country prior to a great change which was made about four centuries ago. But, as he had already said, there was considerable obscurity upon this head, yet, until that alteration was made, the rights of election were more extended than afterwards. He had no doubt, indeed, that the election of the Corporation was in the hands of the burgage tenants of the Crown, holding *in capite.* In the year 1469 it appeared that the Legislature of that part of the kingdom passed a law which effected a material change in the constitutions of corporations with respect to the burgesses at large of the burghs in Scotland; for, instead of their being entitled, as heretofore, to vote for the officers of the burghs, that right was confined to a much smaller body. The Provost, as their Lordships were aware, was similar to a Mayor in English corporations; the Town Council resembled the Common Council, and the Baillie an Alderman. There appeared, however, the word Alderman, in reference to Scotland, in an old Act of Parliament, but Baillie was the designation given to the officer who nearly resembled the Alderman in English Corporations. Of the Town Council, among whom was the Baillie and the other officers, and from the Council, as now established, they were chosen. It was probably argued at the time, when the law to which he had called their Lordships' attention was passed, "You (the Burgesses) have elected a Council. It is your own choice. We will take from among that body our officers, and you can have no objection to that arrangement." Now, the preamble of the Act was very concise, as indeed was the Act itself. The preamble was in these words—"Touching the election of officers, because of great contentions yearly for choosing the same through multitudes and clamour of the Commons, simple persons" —they were, therefore, henceforward to be excluded from the election of the officers. —The Act went on to point out what was to be done with respect to the appointment of the officers. The old Council and the new Council were henceforth and for ever to appoint the officers of the burgh. Each trade or handicraft had a Deacon, chosen by each body, to represent that body in the burgh.—He would refer to the capital of Scotland as a specimen of the burgh system in that country. By the Act of 1469 the Council was to consist of thirty-three Members, twenty-five of whom,—namely, the Provost, four Baillies, Dean of Guild, &c., were self-elected. The other eight were apparently chosen by the trades, but virtually chosen by the Council. The trades amounted to fourteen, and each, according to the Act, was to send a Deacon to the Council; and the way that was done was as follows:—The Council sent to each trade six names, leaving the trade to strike off three, and the Council chose any one of the remaining three that it thought proper. That was the custom at Edinburgh, but the system was not so exclusive in other burghs. It was the practice in some of the burghs to send up six names to the Council, leaving the Council to strike off three, the trades choosing the Deacon from the remaining three. In the case of Edinburgh, however, and many other burghs, it might be taken for granted that the system of self-election was paramount, and the burgesses could not in the smallest degree interfere in the election of their Magistrates. The mode in which persons obtained their freedom in Scotland was very different from what it was in England. It was not by birth, or servitude, or marriage, that the freedom of the City was obtained, as in England, but, in many instances, a person could demand to be admitted, if he could prove that there was no legal objection to his admission; or if he was prepared to qualify himself for the trade to which he wished to belong. The trades were fourteen in number, besides one Guild. The person at the head of any particular trade was called the Deacon. The Guild consisted of general merchants, and the person at their head was called the Dean of Guild. With the exception, therefore, of the Guild, persons might be elected into the other trades, whether they had served apprenticeships or not. There were twenty-four burghs who had Provost, Baillies, Council, Dean of Guild, and Deacons; but there were many others who were worse off. There were eleven, for instance, who had no Guild of Merchants; and the Dean of Guild was absolutely Deacon chosen by the Council. But there were twenty-five which not only had no Guild of Merchants, but no trades at all; and the Council, consequently, appointed the Dean of Guild and the Deacons of the trades, precisely as if there had been both merchants and trades. As in nature, there was a long scale of gradation, from man, the head of the creation, to the polypus that adhered to the rock, and nearly inanimate as the rock itself—so in art there was a similar gradation—and in no instance better exemplified than in the artificial state of the Scotch burghs, where there are some that approach to what might be called political extinction, for there were actually four burghs which had neither Dean, nor Deacons, nor Burgesses. The consequence was, that the Council elected themselves, and performed all the important functions of Magistrates and Judges. Now, bad as was the constitution of the burghs, it might be supposed that the privileges of the Council would be small in proportion to the bad mode of election; but the very reverse was the case, and the power of the Council was in the inverse ratio of the mode of election. In many of these burghs, which were corrupt and worn out, the power of the Council was of the largest and broadest description. There was nothing at all like it in England—bad as some of the English corporations were, and much as they required amendment; they might say, indeed, that the very worst of the English boroughs might be held up as a political prodigy of purity, as compared with the Scotch burghs. The power of the Magistrates, too, was of a most extensive kind. They were not only Judges in many civil cases, but they also had a criminal jurisdiction, short of life and limb. They also had the management of the funds of the corporation, some of which were very large; yet, large as they were, many of the incorporations were insolvent or bankrupt. These funds arose from land, or fees, or imposts. The burghs altogether amounted to sixty-six, and of these some had a revenue of more than *50,000l.* a-year, derived from taxes or from imposts levied on the inhabitants. The revenue of Edinburgh, derived from this source was, he believed, *52,000l.* or *53,000l.*; that of Glasgow was not less than *60,000l.* The smaller burghs possessed a revenue of *8,000l.*, *2,000l.*, or *1,500l.* Several of them had considerable tracts of land, and he could mention a small burgh which had 2,000 acres. There was another, not a large burgh, which had 3,000 acres, and two fisheries. It might perhaps surprise their Lordships that some of these burghs, with that extent of land, could not boast much revenue—not above *150l.* The fact was, that the land was feued out, he did not say, by favour, but it was feued; and those who held it held it at a perpetual fixed rent, and were possessed of all the rights of property over it. Of the feuars of the 2,000 acres, it did so happen, and no doubt their Lordships would regard it as singular—it did so happen, that of the eleven feuars, every one of them bore the name of some Provost of the burgh. With respect to the revenue derived from imposts, it was managed much in the same way—there was in the disposal of it that spirit of favouritism which in other places was called jobbing. In many burghs, however, that had gone by, and a great improvement had taken place. He would, to show the way how these Magistrates consulted the good of the burgesses, give two or three instances. A gaol was to be built in one of the burghs, and the Deacon of the builders, or wrights, contracted to build it for 700*l*. It was to consist of three stories, but somehow or other the plan was changed, and it was reduced to one story. It was natural to suppose that the expense would be proportionally reduced. No such thing, for though the stories had been reduced from three to one, the expense was raised one-half. In another burgh a building was advertised for public contract, and a tradesman engaged to do the work for 850*l.*; but no, that would not do, he was not a Deacon, and a Deacon got the job at 1,600*l*. These were but samples of what had occurred, and they were the inevitable results of the system of self-election, which made men heedless by setting them above all responsibility and control. To confirm this, it was only necessary to refer to the circumstances of the burghs; one of them had obtained an Act of Parliament to put its affairs under trust, and was insolvent. Another had at that moment a deed of trust preparing; and a third was in a state of bankruptcy. At a meeting of the Convention of the Delegates of the Royal Burghs in 1792, at which, fifty-two delegates were present, a Resolution was passed, declaring that it was not possible to obtain any control over the expenditure as long as the system of self-election continued, A Bill was then brought into Parliament to correct the vices of self-election, but it did not succeed. The distaste into which the very name of Reform fell after that period, in consequence of the French Revolution, extended itself to Burgh Reform, and it was considered that one was not likely to be effected till the other was accomplished. But now, that Parliamentary Reform had been carried, Burgh Reform, which had suffered from the name and connexion, was now to be carried into effect, and the implied pledges given to the country on the subject redeemed. The Bill, which he asked their Lordships to assent to, was founded on the ten-pound franchise of the Reform Bill. It was a necessary consequence of the condemnation of the self-election system that some other mode of election must be adopted; and there was none so good and convenient as that on which the Reform Bill was based. The registration had answered all the purposes of the authors of that measure, and would serve as an admirable means for taking the poll in burghs. He had been of opinion, that annual elections were too frequent, but he was bound to admit, that his opinion had been changed; and considering the general, the unanimous opinion of the people of Scotland, and that the election of burgh officers always had been annual, he had come to the conclusion, that they ought to continue to be annual. It should, however, be observed, that in order to preserve identity in the Council, all the Councillors were not to be renewed every year; one-third only would go out annually and be annually re-elected. The Bill had no other objects in view than to put an end to the self-election system, and provide for the proper election of the officers; and those who admitted the self-election system to be bad, could scarcely object to those enactments which were the necessary consequence of that admission. The Town Councils, he should also observe, would have to choose all the Burgh officers, as heretofore; but the Councils themselves would be differently chosen. The self-election was admitted to be bad, and the small change now proposed was not more than sufficient to get rid of that. It had been objected that these Bills should not be pressed forward till the result of the Corporation Inquiry were known; but it appeared to him that, with reference to Scotch burghs, there was already ample evidence for them to act upon; so much so, that the Scotch people were in a most anxious state of impatience for the reform of their frightfully vicious corporations; in short, if the Session were allowed to pass over without carrying this Bill into law, that people would have good reason to consider the promises held out to them by a Reformed Parliament, not only as utterly unfulfilled, but as a mockery and insult. At the time of passing the Reform Bill, he had regretted the reservation of the rights of freemen, and all he had seen or heard of since then, taught him that his regrets were well founded, and he still bitterly regretted that most unwise reservation. Some persons had objected to the present Bill that it did not give the franchise to all burgesses; but those persons should recollect that, by the petty nature of the qualification, any body might become a burgess; for the qualification necessary for the admission of burgesses sometimes went so low as 16*s.* 8*d.*, and he had even heard of some burgesses being admitted on the strength of 5*s.* This was all that was requisite for becoming a Scotch burgess, and thus the declaration that all burgesses should be admitted to the franchise became tantamount to the admission of all persons indiscriminately to that franchise. In such places as Edinburgh and Glasgow, where the burgesses were mostly highly respectable men, it would be found that the major part of them came into their franchise as 10*l.* householders. In Glasgow there were not less than 6,000 or 7,000 burgesses who were 10*l.* householders; and thus the burgesses might consider themselves fully represented. This being undeniably the case, the only question was, whether it was desirable that all burgesses should be indiscriminately admitted to this most responsible franchise, for many there were who were only 4*l.* householders, others 3*l.*, others 2*l.*, and more there were who were no householders at all. In one town of Scotland, for instance, out of 800 burgesses, there were only 100 who were 10*l.* householders; and the question then was, whether this 100 were to be overwhelmed by the other 700. The case applied to all Scotland. In conclusion, he would say, that this Bill was as loudly called for by the Scotch as the Reform Bill was by the whole united nation; it would give him and the whole people of Scotland the most heartfelt satisfaction if their Lordships would suffer it to pass; and it would cause in him and in them, most unmingled sorrow and bitter disappointment, if their Lordships should frustrate an object of such ardent and general desire.

The Earl of *Rosslyn* said, that all parties were agreed as to the necessity of putting an end to the principle of self-election, and the abuses which had been so ably exposed by the noble and learned Lord. The question was as to the means of carrying so desirable an object into effect. And here he must observe how very different the course pursued towards the Scotch burghs was to that adopted with reference to English Corporations. In the former legislation was made to precede inquiry, while in the latter, most properly, inquiry preceded legislation, although the Committees appointed by the other House had recommended the same plan to be adopted with regard to both—namely, that cautious inquiry should first be made, in order to enable Parliament to legislate justly and successfully. In nineteen of the Scotch burghs, in which the present system of election was to be done away with—the number of the new constituency to be substituted would be less than that of the Councils which were to be destroyed. It was proposed to restore the ancient free Constitution, and to whom, then, ought this ancient free Constitution to be restored? Surely not to the 10*l.* householders, for this class had nothing to do with this ancient free Constitution, it not being in existence at the time. No; that ancient free constitution, if restored at all, ought to be restored to those who had it before — namely, the burgesses and to none but the burgesses. There were several statutes which showed that the burgesses had always had the sole right of election, and of controlling the Council, and by one of which Acts it was rendered competent in any three burgesses to complain of the Council to the Court of Exchequer, which was bound to adjudicate therein. It was the only Constitution that he had ever heard of, established, and even professedly established for a year, nay, for less! A greater mockery had never occurred in Legislation.

The Earl of *Haddington* felt it impossible to allow the question to be put, without addressing a few remarks to the select Assembly [there were about sixteen or eighteen Peers present] met to decide this important question; and without protesting, in the strongest manner, against that most dangerous measure which was now submitted to their Lordships' consideration. With respect to the system of self-election in the Scotch burghs, he did not believe, that any man stood up for it. He had never approved of it abstractedly; but he had been unwilling to touch it, because it was a part of the Constitution of the Scotch burghs, closely connected with that Reform in the Representation to which he had always been decidedly opposed. When, however, the Reform in the Representation took place, it became evident to every one, that the system of self-election in the Scotch burghs could no longer be allowed to exist. It was not, therefore, to the abolition of the system of self-election that he objected, but to the practical measure founded on that abolition. The Bill before their Lordships gave the elective franchise to 10*l.* householders; but these were persons who might have no property whatever; and he denied, therefore, that the statement in the preamble—namely, that the Bill was to restore the ancient free Constitution—was well founded; for by that Constitution the franchise was vested in the ancient *probi homines.* The noble Earl here entered into an examination of the operation of the proposed measure as it regarded Glasgow, in order to show, that many of the inhabitants would be excluded from the benefits of it, although in every respect entitled to them, simply because they resided in a particular district. Its operation on charitable institutions would be most unjust and injurious; those institutions had hitherto been under the management of the Town Council, being burgesses; they were now to be left to the control of 10*l.* householders, who had no interest whatever in their prosperity. Even the University of Edinburgh and Glasgow were threatened with danger. It was well known, that the Town Councils of Edinburgh and Glasgow, among other power and patronage which they enjoyed, had the right of presentation to the Established Churches in the city, and the gift of most of the Professorships of the Universities. It was highly to the credit of the Town Council of Edinburgh, that they had selected such individuals for the Professors' Chairs, as to enable the University to hold the distinguished rank which it held among the learned bodies of Europe. There was some risk, therefore, that both the Church and the Universities might be damaged by the proposed change; for it was evident that popular feeling and excitement were not always the best qualifications to enable an individual to pronounce on the merits of a Professor or a Minister. The Magistracy, the incorporated trades, and the burgesses, were all loud in their complaints against this Bill. The Scotch were a people that did not like to take a leap in the dark. If a Commission were appointed to investigate the subject, and legislation were to follow the Report of that Commission, they would be much better satisfied than with the present crude and ill-digested measure. It was clear also, as had been observed by his noble friend, that this was only a provisional measure. Referring to the warrant which had been issued for the purpose of obtaining information on the subject, and of bringing before the law-officers of the Crown, persons, papers, records, &c. belonging to the different Scotch Corporations, he characterised it as a great stretch of the royal prerogative; and expressed his conviction, that it would not have been obeyed in England. He concluded by moving, that the Bill be read a second time that day six months.

The Marquess of *Bute* was opposed to the Bill, for he thought, that its enactments did not bear out the preamble, which professed to restore the ancient Constitution of the Scotch burghs. It was quite true, that in England burgesses were created for parliamentary and electioneering purposes, but in Scotland no such persons as parliamentary freemen were to be found—the rights of the Scotch burgesses were derived from the property they really possessed, and their claims to the right of voting were far better than those of the electors of England and Ireland. He wished, therefore, that in Scotland burgesses upon that footing should continue to be those who held the right to vote for the town councils and other members of the Corporations.

The *Lord Chancellor* said, that he had wished to have saved their Lordships from any further delay, but he could not allow the House to go to the question at once without making one or two observations on what had fallen particularly from the noble Lord who had last spoken. The gross mismanagement of burgh property in many instances had led to this measure; instead of the burgesses having any control in the matter, the whole management was in the hands of the councils, with the choice of which the burgesses had little or nothing to do. It was therefore the greatest possible abuse of language to say, that this Bill deprived them of any advantage or interest for the puspose of vesting it in the 10*l.* householders; especially when it was considered that the burgesses had no interest in the business, nor had enjoyed any for the last four centuries, during which period every thing depended on the will of the councils. His noble friend stated, that he had been given to understand, on no mean law authority, that the issuing of such Commissions as that of Corporation inquiry was illegal. Now he assured his noble friend, let his authority be what it might, that he was mistaken, inasmuch as several similar Commissions had been from time to time issued by the Crown, without the authority of an Act of Parliament. He might mention the Chancery Commission, among others, which had issued under "no mean law authority"— the then Lord Chancellor, who, as well as the present Master of the Rolls, was one of the Commissioners upon that inquiry. This was sufficient to settle the question of legality. His noble friend had said, that the English Corporations were endangered by this proceeding, and he added emphatically, "let the Corporations of England look to it." He (the Lord Chancellor) said so too; "let the Corporations of England look to it," he repeated, the rather because a Commission of Inquiry had been appointed, the members of which were determined fearlessly and firmly to discharge their great and important duties. The inquiry would be rigorously proceeded with, as it had been honourably commenced. He knew, that many Corporations had no occasion to dread the strictest investigation, but let those which had been guilty of abuse, corruption, or gross negligence, "look to it." The time was come for them to "set their houses in order," that they might be prepared to meet the investigation, if possible, without shrinking. He repeated, no Corporations that had not been guilty of abuses need entertain any apprehension, as he was sure such would not stand upon the strict limit of right or privilege, but allow the inquiry to proceed without attempting to shuffle out of it on a point of privilege. As to the charge of breathless haste and want of deliberation, which had been made against the authors of the present measure, nothing could be more unfounded—more opposed to the facts of the case. The proceeding had been called for by the people for years. He admitted, that the Bill came before their Lordships at a late period of the Session, but that was no fault of theirs, for it had only just come up from the Commons: neither did any blame for the delay rest upon the authors of the measure in the House of Commons, seeing that the first two months of the Session had been devoted to the pacification (in which the Legislature had succeeded) of an important member of the empire, and that the rest of the public business had been thereby necessarily thrown into arrear; and this measure among others. But that the Bill had been unreflectingly brought forward in the Commons, any more than it was now with breathless and indecent haste urged upon their Lordships, he utterly denied. There had been much and valuable previous inquiry in the most important particulars; then a Committee was appointed, and sat on the subject; and the result of their deliberations was the present Bill: so far was the measure from being the unreflecting act of an individual, or a fruit of the breathless haste and impatience of a Reforming Government. But this was not all: before the delegates of the Scotch burghs, in Convention assembled, had the Bill been laid, and those delegates, to the number of more than fifty, came to a resolution wholly approving of the principle of the measure and making a few objections to details, which objections, on consideration, had been for the most part admitted and removed. The result of all this consideration, inquiry, and consultation, was the Bill which he had now moved their Lordships to read a second time. Hardly ever had there been a measure to which the charge of breathless haste or imperfect consideration was less applicable. With respect to any advantage which the burgesses might at present derive from charities, the Bill did not impair or annul them. It left whatever trade charities were in the hands of the burgesses wholly untouched, there being a clause in the Bill specially exempting them from the interference of the measure; and with respect to charities under the control of the town councils, the Bill only interfered with them to this extent — that it made such councils the Representatives of the 10*l.* householders, instead of allowing them to continue self-elected and representing no interest but their own. The funds were still to remain under the management of the Councils and Magistrates, the only difference being that those Councils and Magistrates would be differently chosen. Under these circumstances, it would be worse than idle to talk of the interest of the burgesses in charitable funds and bequests being impaired by the Bill—the contrary would be the case. His noble friend had hinted something of the delicacy and difficulty connected with the exercise of church patronage, and choice of Professors in the Universities by corporate bodies, and he appeared to think, that the difficulty would be increased if such patronage or choice were to fall into the hands of bodies less select than the present. Now, he could not admit, that the councils and Magistrates chosen under this Bill would be less competent to exercise the functions in question than were the existing Corporations.

Really he was not prepared at the present moment, within eight or nine months of November, 1832, to hear the panegyric pronounced by his noble friend as to the excellent choice of Professors, which was always made by those self-elected Town Councils. A few years hence, and he might listen to the eulogy with indifference, but just now it had occasioned him a good deal of surprise; especially when he recollected that the most eminent man of science of the present day—a man admitted by the general consent to have placed himself at the head of natural philosophy in this country, by the many and important discoveries with which he had enriched that science—might at this moment have filled the chair of philosophy in the metropolis of Scotland, but that it was thought more expedient by the self-elected Council of that city not to choose that great ornament of our country, but one better known for his connexion with the town of Edinburgh than for his acquirements or discoveries in science. He, for one, as an alumnus of that University, which he was disposed to regard with affection and respect, did deeply lament, that the self-elected body of Edinburgh had not deemed it discreet or expedient to obtain for that seminary the glory of so great a name. The noble and learned Lord proceeded to observe, that the only object of the Bill being to prevent self-election, all that was necessary, and all that the Bill undertook to do was to provide a substitute for self-election.

Amendment negatived, and Bill read a second time.

The following protest was entered.

Dissentient,

1. Because, while the preamble of the Bill purports to restore the ancient free Constitutions of the burghs, the enacting clauses establish a system totally different from any that ever existed in those communities.

2. Because, the transference of the right of voting to the 10*l.* householders alone, is a manifest violation of those rights which the ancient law of Scotland recognized to the burgesses, into whose hands a simple repeal of the Act of 1649 would have thrown that power, which is now to be conferred on the parliamentary constituency.

3. Because, in order to abolish the system of self-election, it was not necessary to have recourse to this extensive innovation.

4. Because the power to elect the managers of the common good of the burghs, and of many of the charities therein, is conferred on persons having no right or interest in either, instead of having been bestowed on the burgesses, who are parties legally interested in both.

5. Because the Bill has been brought forward in manifest ignorance of many most important matters, an accurate knowledge of which must be necessary, in order to enable Parliament to determine, in a final and satisfactory manner, on the mode in which the municipal councils of the royal burghs in Scotland ought to be chosen. This is virtually admitted by the framers of the Bill, who have advised his Majesty to issue a Commission with most extensive powers, embracing every matter connected with these communities, and especially the mode of election which ought to be adopted therein; and it would have been more consistent with justice and with common sense, and in every respect more convenient, as well as more rational, to have founded legislation upon inquiry, instead of deciding first and inquiring afterwards.

6. Because this Bill, recklessly invading chartered rights, and injuriously affecting long-established interests, on the gratuitous assumption that some such enactment is called for by popular feeling, forms a dangerous precedent, and is justified on principles inconsistent with the permanence of the chartered rights throughout the empire, and adverse to the true interests of the people.

Melross.
(Earl of Haddington.)

HOUSE OF COMMONS,

Tuesday, August 13, 1833.

Minutes.] Papers ordered. On the Motion of Mr. Charles Buller, the Receipts and Expenses of the Record Commission: a Return of the manner in which Sums charged in the Civil Contingencies have been Expended similar to the Return ordered on 29th June, 1829: also a Return of all Works now in progress or completed.—On the Motion of Mr. Ruthven, the Estates and Rental of the Dublin Corporation.—On the Motion of Mr. O'Dwyer, Returns of the Probate Duty, &c., in Ireland: also an Account of the Establishment of each Government Office in Dublin.—On the Motion of Mr. Hume, the Sums Voted and actually Expended for the Militia of the United Kingdom: also the Number of Troops, or Regiments, of Effective Yeomanry in the United Kingdom, in the year 1832, and the Expense of each Corps.—On the Motion of Mr. Stewart Mackenzie, the total Number of Registered Voters for each County, City, Borough, and Town in Scotland: also the Expense incurred for Revising the Lists, and the Legal Expenses of each Candidate at the last Election: also Copies of the Deeds of Entail ordered in the General Registry of Entails in Edinburgh, from 1685 to 1833, inclusive.—On the Motion of Mr. Aglionby, the Sums Voted, and the Sums actually Expended in each year, for the Yeomanry and Volunteer Corps in England, Scotland, and Ireland, from 1816 to 1833.

Petitions presented. By Earl Grosvenor, from certain Silk Manufacturers, against the Removal of the Duty on Foreign Thrown Silk.

Factories' Regulation.] On the Motion of Lord Althorp, the House went into a Committee on the Factories' Regulation Bill.

Mr. *George Wood,* on Clause 8th, which enacts that the employment of children under eleven, twelve, and thirteen years of age, for more than eight hours a-day, should be prohibited, moved, as an Amendment, that at the expiration of six months after the passing of the Act, no child under eleven years of age should be permitted to work more than eight hours; that no child under the age of twelve years should be permitted, after the expiration of eighteen months from the passing of the Bill, to work for more than eight hours a-day; and that after the expiration of two years from the passing of the Bill, no child under thirteen years should be permitted to work more than eight hours a-day. This, he said, he did, that the effect of the Bill might be gradual.

Lord *Althorp* objected to the Amendment as postponing the operation of the Bill till March, 1835.

Captain *Elliott* would support the Amendment, from his knowledge of the impossibility of procuring relays. The information from the country convinced him that a graduated scale would be infinitely preferable.

Mr. *Poulett Thomson* observed, that the principle of gradation was, perhaps, necessary to carry the Bill efficiently into effect, so, indeed, as to insure the co-operation of the masters. He certainly was in favour of the Amendment, though he had some doubts whether the House would be prepared to go the whole length of his hon. friend.

Lord *Morpeth* was averse to the adoption of such lengthened periods; but he would not object to a graduated system, the extent of time being limited to six months.

The first part of the hon. Member's Amendment was put, and carried without a division.

On the question of postponing the operation of the clause, as affecting children of twelve years of age for eighteen months,

Lord Althorp proposed the adoption of twelve months for eighteen.

The Committee divided on Mr. Wood's Amendment—Ayes 34; Noes 23: Majority 11.

The third proposition of Mr. Wood's was agreed to, and the clause, so amended, ordered to stand part of the Bill.

Mr. *Brotherton* moved an Amendment to the 9th Clause, that ten hours be inserted for eight hours, for children under thirteen years of age. It would be better for masters and operatives.

Mr. *Hyett* seconded the Amendment. Though the Bill might remedy abuses in some districts, in others it would cause great poverty and distress, and families would be reduced by it from 10*s*. to 4*s*. per week.

Mr. *Edward Stanley* could not see how, in consistency with its pledges to the country, the House could adopt the principle of the hon. Member. The House had already decided the question of the Ten Hours' Bill.

The Committee divided on Mr. Brotherton's Amendment—Ayes 16; Noes 40: Majority 24.

List of the Ayes.

Briggs, R.
Brocklehurst, J.
Cayley, E. S.
Cobbett, W.
Egerton, W. T.
Fielden, J.
Harland, W. C.
Hyett, W. H.
Maxwell, J.
Moreton, Hon. A. H.
Parnell, Sir H.
Scrope, P.
Shepherd, T.
Torrens, Col.
Williams, Col.
Willoughby, Sir H.

TELLER.

Brotherton, J.

The House resumed. The Committee to sit again.

Inns of Court.] After Mr. Hughes Hughes and Sir Francis Vincent had severally withdrawn the Motions of which they had given notice, in relation to the case of Mr. Harvey and the Inns of Court,

Mr. *Harvey* said, that this subject had been before the House many times, and if he had not shown that restlessness of feeling that might have been expected, he would candidly state the reason why. He wished it to be expressly understood, that so far as these Motions affected him, his feelings were not, in the slightest degree, disturbed by them. Every Gentleman in that House came there with the credentials of the approbation of his constituents. So far as this was a recommendation, there was not a Member of that House who had a prouder testimonial than his. He was now addressing the sixth Parliament of which he had been a Member, and always for the same place, and the same constituents. There might be Members who had represented places for a longer space of time, but not under the same circumstances as he had represented Colchester. Some Gentlemen represented millions, not minds, and by the force of their property they selected the places for which they sat. Not so with him. He was proud to say, that he had the personal as well as the political, approbation of his constituents, over whom he possessed not the slightest influence that property could give. Under these circumstances, he required no testimonial of the approbation of that House. Still, however, there was no one who viewed that House, collectively or individually, with more respect than he did, or who more coveted their esteem. So much so, indeed, that if there was any Gentleman who wished for an explanation of that Motion, or of anything connected with his life, he should be happy to give any information in his power. When the hon. Baronet had given notice of the Motion just now withdrawn, he had selected fourteen Gentlemen, Members of that House, who were not at all individually connected with him, to listen to his statement. That statement was made, and they came to an unanimous resolution, that his conduct throughout was satisfactory to them as Gentlemen. The reasons why he did not wish to enter at great length into the subject at present were these—Last Session it was brought forward on a Motion to refer the matter to a Select Committee, and it was opposed, but so strong was the feeling of the House in his favour, that it was lost by only a small majority. After that, he renewed the subject, and the Attorney General of that day promised that it should undergo inquiry before the Common Law Commission. He then appeared before the Common Law Commissioners, and he learned with regret, that while they were prepared to receive any statement which would lead to an improvement in the mode of admitting students, first to the Inns of Court, and afterwards to the Bar, they did not feel it to be within their province to investigate any particular case of injustice and oppression which might have previously happened. He thought it also right to present a petition to the twelve Judges, praying them either to look into the matter themselves, or to direct the Benchers again to examine into the case. The Judges said, in answer, that as he had not renewed his application to the Benchers, they could not interfere. He conceived that this answer of theirs was an intimation that he ought to renew his application to the Benchers. He accordingly did so, and then the Benchers appointed a day on which he was to attend them and to be heard. He attended accordingly, and then, for the first time, they conceded that he should be attended by Counsel, and should have a short-hand writer present. This concession from monopoly was pleasing and satisfactory to him personally: but in the mean time many Members of that House had taken an active part in the affair, and on his intimating it to the fourteen or fifteen Gentlemen to whom he had already alluded, they expressed a desire to be present at the decision of it. They went with him to the Temple—they required admission into the Benchers' room, and then the learned Bench came to the conclusion that those Members should not be admitted. He mentioned this merely to show that he had ever anxiously wished to have these circumstances investigated. It appeared to him most extraordinary that while this House exercised a sovereign jurisdiction over all matters and things, and brought within its cognizance every thing that took place in Courts of Justice, there should exist one tribunal—

Lord *Althorp* rose to order. He had not interrupted the hon. and learned Gentleman while his statement was merely personal, although there was no Motion regularly before the House; but he begged leave to suggest that it would be better, as there was no question before the House, to refrain from criticising or attacking any other party.

Mr. *Harvey* said, that he did not intend either to criticise or to attack any other party in the statement of facts which he had just made. It was not his wish, nay more, it was not his interest to do so. Though there was at present no Motion before the House, he said that this was a subject in which the public ought to take an interest, in which it should take an interest, in which it must take an interest; for these inns of court claimed to exercise a species of despotism which was positively insupportable. He was stating, before he was interrupted, that several of his friends, Members of that House, had applied to be admitted into the benchers' room. The benchers' declared that they were not admissible. He then appealed to his friends as to what he should do, and they were of opinion that he would be sacrificing a great principle, for which he had long been contending, if he did not withdraw his application altogether from a conclave which formed its decisions in a private room. So much with regard to the history of the past: now with regard to the future. He had sent a letter to the benchers of the Inner Temple to say, that he would renew his application to be called to the bar in the next Session if they would allow besides himself, and his counsel, and the short-hand-writer, one reporter for the whole of the public Press, and one reporter for a paper belonging to the county of Essex, to be present at the discussion. To disarm the benchers of every pretext, he did mean, if they would not yield to this proposition, to compel them to enter upon a reconsideration of his case, subject, however, to a protest on his part against the irregularity of their proceedings. He now offered publicly to let this whole matter be referred to any number of gentlemen in that House without regard to party, great or small, three or thirty; and he promised, that if that number did not come to a unanimous resolution that he had been treated with injustice and oppression by the learned bench, he would, within twenty-four hours after their decision was made known, move for a new writ for the borough of Colchester.

Sir *James Scarlett* said, that though the whole of this proceeding was highly irregular, yet, as he was the only bencher present out of the large number who had been charged by the hon. Member with injustice and oppression, he must be permitted to say, that the decision of the benchers in the hon. Member's case had been confirmed by the twelve Judges unanimously, and therefore if oppression and injustice were to be charged against the benchers of the Inner Temple, he desired that the twelve Judges might also take their share of it.

Mr. *Harvey* observed, that, without meaning any disrespect to the hon. and learned Gentleman who had just spoken, he must say, that no Member of Parliament could so easily convey in a few words very harsh and ungenerous imputations. He meant, he repeated, no disrespect to the hon. and learned Gentleman, but he was bound to state, that what the hon. and learned Gentleman had just asserted respecting the twelve Judges was not true. This case had not been referred to the twelve Judges, and that was the very point of which he complained. The twelve Judges of England formed a tribunal sitting in open Court, and not capable of sitting in private on any case. All that they had said was, that they were not competent to depart from the decision of the benchers, and though Mr. Brougham and Mr. Denman were standing at the door of Serjeants' Inn, with twenty witnesses to be examined, the twelve Judges came to the resolution that they had not power to examine one amongst them.

Here the conversation dropped.

STAMP PROSECUTIONS.] On the Order of the Day for the House resolving itself into Committee on the Factories' Regulation Bill,

Mr. *Cobbett* took occasion to refer to the case of an individual whom he stated to have been convicted for selling unstamped newspapers, and fined 20*l.* by the Magistrates, and, in default of payment, sentenced to six months' imprisonment. This person was very harshly treated in prison, being sent into the felons' yard amongst criminals of the worst description, and condemned to hard labour. His hair was cut off; and, permission being refused him to provide his own bed or food, he was obliged to be content with the prison allowance. He (Mr. Cobbett) was satisfied, that the law had been transgressed in the treatment of this individual; that the Magistrates were to blame; and that although Attornies General could pinch pretty sharply, as he had good reason to know, the Stamp-office could act with still greater severity. He believed that the Stamp-office had prosecuted and caused the conviction of upwards of 300 individuals since the present Ministry came into office.

Lord *Althorp*.—No.

Mr. *Cobbett*.—Well, then, take the number at fifty.

Lord *Althorp* again dissented from the statement.

Mr. *Cobbett* wished to hear from the Solicitor General a disclaimer of the cruelty with which the party to whom he referred had been treated.

The *Solicitor General* denied, that the Government, or any one connected with them, had instituted the prosecutions complained of, which, as far as he knew, were the work of common informers. With respect to the case mentioned by the hon. member for Oldham, he thought the hon. Gentleman must be misinformed. He could not believe that the person had been either sentenced or put to hard labour; neither did he imagine it possible that the other acts of severity complained of should have been committed. If the hon. Member could make out such a case of oppression, he (the Solicitor General) pledged himself to do his utmost to redress it.

Mr. *Hume* believed the Solicitor General to be correct in stating, that these prosecutions had not been instituted by the Government, but it should be recollected that they arose out of the Stamp Act, the severity of which it was the duty of Ministers to mitigate, more especially after the opposition offered by the noble Lord (Althorp), the Lord Chancellor, and the Lord Chief Justice of the King's Bench, to the passing of the Six Acts, under one of which some of these convictions had occurred. The last returns showed, that 276 persons had been proceeded against for violations of the Stamp Acts—a number of prosecutions for those offences unparalleled in the entire history of the country. It mattered little to the people whether this prosecution was set on foot at the instance of the Government or of common informers; it was the duty of Ministers to put a stop to so unjust and arbitrary a proceeding by n immediate alteration in the law. In addition to the other evils of the system, the law was unfairly administered: the Magistrates would not convict for selling Tory publications, but the moment an unfortunate liberal was accused, he was clapped up directly by the Tory Magistrates. The case of an individual named Hodgson, who was prosecuted for publishing a paper called "A Warning Voice," had been mentioned to him, and he had applied to the Stamp-office for information on the subject, which, the instant he received it, he would take care to place in the hands of the noble Lord.

FACTORIES' REGULATION.] The Order of the Day, was read and the House went into a Committee on the Factories' Regulation Bill.

On the 16th Clause describing the powers and duties of inspectors under the Act,

Mr. Egerton moved an Amendment, limiting the powers of Inspectors, by leaving out all the words of the clause after the words "whom it may concern or regard," in the 41st line.

The Committee divided on the Amendment—Ayes 18; Noes 46: Majority 28.

Mr. Hardy moved the following Amendment:—That after line twenty-two of the Clause, should be inserted the words, "and such inspectors shall have power to direct in what manner the machines may be so fenced off as to protect the persons of those employed about them."

Mr. *Poulett Thomson* thought the Amendment unnecessary. If there was any culpable negligence on the part of the proprietor of the mill, and any life was lost in consequence, he would be responsible at common law. No practical good, therefore, would be effected by the clause; and it was not likely that the inspectors would be able to examine the machines, so as to know whether they were in proper order or not.

Mr. *Hardy* said, that the inspectors could hardly be so ignorant, as not to know whether a dangerous part of the machinery was or not well fenced off. Surely, when a man was punished for manslaughter, if he drove over any person, he ought to be liable to some punishment if he left things in such a way that accidents must almost necessarily happen.

Mr. *George Wood* objected to the Amendment. The proprietors of these mills had every wish to protect the children, and yet they of all men were marked out to be put under the ban of the law. The hon. member for Bradford, when he proposed this Amendment, seemed to forget that the collieries in the neighbourhood of the town he represented were, at least, as dangerous as cotton-mills, and instead of this Bill being confined to four trades, it should embrace all trades whatever. Yet there was no Act compelling the owners of coal-mines to see that those places were properly ventilated, and the ropes of the machinery lowered down the pits.

Mr. *Robinson* observed, that so far as concerned those manufacturers who now took every proper precaution, this Clause would have no effect. It could not hurt their feelings that the Committee should have thought fit to introduce such a Clause, and as to others, they would have no right to complain of it.

Mr. *Hume* said, that the inspectors would not probably know anything of machinery, and their interference might be more injurious than beneficial. Suppose he were to offer himself for an inspector, he might be a good inspector as could be as to the health of the children, and their food and time of labour, but he should not be able to judge of the machinery, and he might think there was danger where there was none, and he might order fences to be put up which would stop the machinery. He thought it a good rule not to interfere in the management of a man's private concerns. They might just as well appoint inspectors to every great kitchen to prevent the little girls from scalding themselves. He should oppose the Amendment.

The Committee divided on the Amendment, Ayes 18; Noes 65:—Majority 47.

List of the AYES.

Aglionby, H. A.
Attwood, T.
Barnard, E. G.
Benett, J.
Brotherton, J.
Cayley, E. S.
Cobbett, W.
Estcourt, T. G. B.
Fryer, R.
Gaskell, J. M.
Henniker Lord
Morpeth, Viscount
O'Dwyer, A. C.
Penruddocke, J. H.
Robinson, G. R.
Willoughby, Sir H.
Young, G. F.

TELLER.

Hardy, J.

Clause agreed to.

On the 17th Clause being put,

The Committee again divided, Ayes 44; Noes 31:—Majority 13.

The Clause agreed to.

On the 18th Clause, which provides that children in factories should be taught reading and writing,

Mr. *Thomas Attwood* objected to the Clause. It went to take away one-half of the wages of the children and two hours of their time, in order to teach them reading and writing. He thought they would derive more benefit from keeping their wages and having those two hours for repose or healthful amusement. At all events, that matter should be left to their parents. He, therefore, moved, that the words, "if the parents of such child shall require it, and not otherwise," be inserted.

Mr. *Poulett Thomson* considered the provision for educating the children one of the best features of the Bill.

Mr. *Thomas Attwood* said, that the arrangement would, in fact, compel the children to work ten hours a-day, as the two hours devoted to education would be in addition to the eight hours. He thought the expense of education ought to be paid by the State, and not by the children.

Mr. *Robinson* protested against the idea that the time to be occupied in education was an aggravation of the labour.

Mr. *Cobbett* would vote for the Clause; that would prevent the children from being so much worked as they otherwise would be.

Mr. *Hume* supported the Clause, and took this as a first instalment towards a general system of education.

Mr. Attwood withdrew his Amendment.

Mr. Phillip Howard moved as an Amendment, that the deduction from the children's wages should not exceed one penny a-week. The pupils in the national schools did not pay more than a penny a-week.

The Committee divided on the Amendment, Ayes 40; Noes 55:—Majority 15.

The Clause agreed to.

The Clauses to the 23rd were also agreed to with verbal Amendments.

On the Question that Clause 45 which provides that a list of mills be sent to the county treasurer with a view to defray the charges of the different superintending officers, the Committee divided—Ayes 32; Noes 40:—Majority 8.

Clause negatived.

On the Preamble being proposed,

Mr. George Wood objected to it as being of a criminative character, and proposed another to the effect, that "Whereas, at present, children were worked for too long a time consistent with their health and the purposes of necessary education, it was expedient to alter such time."

The amended Preamble agreed to.

The House resumed; and the Report ordered to be brought up.

SALE OF BEER ACT.] The House resolved itself into a Committee on this Act.

Mr. *Spring Rice* said, he had a Resolution to propose on which it was his intention to found a Bill. This Resolution, he begged to say, had not been founded on the report of the Committee. He disapproved of that report, because its object was to restore the old and objectionable system. At the same time he thought it impossible for any one to read the evidence which had been given before the Committee without feeling a wish that the constitution of beer-houses should be improved, and he hoped that this object might be effected without having recourse to any objectionable enactment. He proposed to raise the character of the beer-shops by raising the price of the licence. He would still, however, leave the licences to be granted by the Excise-office, and would confer no additional jurisdictions on Magistrates, except with respect to police regulations. The right hon. Gentleman concluded by moving the following Resolution:—"That for every licence to be granted to any person to sell beer, or ale, or porter, by retail in any part of Great Britain, shall be paid the sum of 5*l.*; and for every licence to be granted to any person to sell cyder by retail in any part of Great Britain shall be paid the sum of 50*s.* in lieu of the present duties payable thereon."

Mr. *Warburton* would not oppose the Resolution, but at the same time he must say, that, considering the large number of persons whose interests were involved in the question, it was perfectly impossible that the Bill proposed to be introduced, could be passed into a law at this late period of the Session, unless it should clearly appear that it was altogether unobjectionable. To any measure founded on the report of the Committee he would give his strenuous opposition.

The Resolution agreed to, and the House resumed.

HOUSE OF LORDS,

Wednesday, August 14, 1833.

MINUTES.] The Royal Assent was given by Commission to the following Bills:—Assessed Taxes Reduction; Church Temporalities (Ireland); Dwelling House Robbery; Privy Council; Hamburgh Marriages; Troopers Fund; Scottish and Irish Vagrants; Burgh Police (Scotland); Law Amendment; Dean Forest; Blackfriars Bridge; Hyde Small Debts; Holyhead Roads; Thellusson's Estate.

Bills. Read a third time:—Sugar Refining; Stage Carriages; Customs' Duties; Customs' Regulation; Customs' Bounties; British Possessions; Smuggling Prevention; Registry of Vessels; Warehousing; Isle of Man Trade; Navigation; Customs' Management.—Read a second time:—Militia.

MINISTERIAL PLAN FOR THE ABOLITION OF SLAVERY.] On the Motion of the Earl of Ripon, the House went into a Committee on the Abolition of Slavery Bill.

On the first Clause having been read,

The Duke of *Wellington* observed, that, on a former occasion, when he had remonstrated against the reduction of the term of apprenticeships from twelve years to six, a noble and learned Lord had told him, that it was in consequence of the increase of compensation to the planters from a loan of 15,000,000*l.* to a gift of 20,000,000*l.* On all questions of fact, there was nothing like dates. They would show clearly to the noble and learned Lord, that the compensation was first proposed as a loan of 15,000,000*l.*, then as a gift of 15,000,000*l.*, then as a gift of 20,000,000*l.*, in which shape it was agreed to, a considerable time before the curtailment of the term of apprenticeships. About the 25th of February, the proposition of a loan to the West-India planters, of 15,000,000*l.*, originated. On the 2nd of May, a deputation from the planters waited on the Secretary of State for the Colonies. On the 14th of May, the right hon. Gentleman again proposed to the House of Commons the loan of 15,000,000*l.*, suggesting that, perhaps, it might be made a gift. On the 3rd of June, came the proposition that there should be a gift of 20,000,000*l.* On the 10th of June, the right hon. Gentleman made that Motion in the House of Commons; the term of apprenticeship being all this while twelve years. On the 12th of June, the Resolution to that effect passed; and it was not until the 25th of July that the term of apprenticeship was changed from twelve to six years. He had felt it necessary to make this statement, in order to rebut the assertion of the noble and learned Lord, that the gift of 20,000,000*l.*, and the curtailment of the apprenticeships, had been propositions dependent on one another. He understood that the crops was collected in the West Indies between the months of June and September, at which period it would be most inconvenient to commence any change in the situation of persons performing the labour. Under these circumstances the planters were exceedingly anxious that the commencement of the apprenticeship should not take place till the month of January; on the other hand, they were not desirous that the apprenticeship should continue beyond the month of January, 1840; thus, instead of June, 1834, the apprenticeship would commence January, 1835, and instead of ending June, 1840, it would end January, 1840, being a period of five years instead of six. The noble Duke concluded by proposing an Amendment to that effect.

The *Lord Chancellor* said, the dates which had been referred to, proved his statement to be correct—that was, provided their Lordships took his statement as he gave it, and not as the noble Duke represented it. The noble Duke appeared to misunderstand what he said, and considered him as speaking of the Government, when he was merely referring to the House of Commons, and what he said was in explanation of what had taken place there. The original proposition of Government was a loan of 15,000,000*l.* and twelve years' apprenticeship. This loan was afterwards changed into a gift, and this gift subsequently extended to 20,000,000*l.* When the planters had gained this advantage there were many persons, but not the Government, who thought that it ought to be attended with some proportionate diminution of the period of apprenticeship. A narrow division took place on the proposition for diminishing the apprenticeship; and it was perfectly clear, that if Government persisted in it, they would be beaten. They, therefore, proposed to reduce the term to seven years. The Bill having been thus settled, it became his duty to take their Lordships' opinion on the clause; in supporting which he was not supporting his own opinion so much as that of the House of Commons and his noble colleagues; for if the term had been reduced to three years, it would not have broken his heart. There was, however, this objection to the proposition of the noble Duke, which he did not think could be got over, viz., that although his Amendment would diminish the period of apprenticeship, yet it would extend that of absolute slavery six months longer than the time fixed by the other House of Parliament. From what he heard, however, he believed, that, at the time fixed by the Bill, the greater portion of the crops would be got in.

Viscount *St. Vincent* said, that the crops were later than the noble Lord imagined. It would be productive of very great inconvenience if the commencement of the apprenticeship were not postponed at least till the 1st of August. He hoped the noble Lord would make this concession to the convenience of the planters. No doubt that, in many parts, however, the crops were got in by June.

The Earl of *Ripon* said, that the observations of the noble Viscount confirmed generally what he understood of the crops, that they ended in June—in certain portions of the island, however, they might be later. When the Bill was originally prepared, he proposed to commence on the 1st of January. But in consequence of the representation of the planters, that this would be in the midst of the excitement of the Christmas holidays, and on the eve of the crops, he altered it to the 1st of June. The proposition of the noble Viscount would not, however, be liable to the objection to which he had referred; and if their Lordships thought it desirable, he would not object to it.

Lord *Wynford* said, that although the Amendment of the noble Duke would prolong the period of slavery six months, it would shorten that of apprenticeship twelve. It was true, that the crops in the northern parts of Jamaica were got in before the 1st of August, but that was not the case in the south of the island. If it was an objection that the Christmas festivities did not end by the 1st of January, the date might be postponed a few weeks.

Lord *Suffield* protested against any alteration which would have the effect of prolonging slavery. If the time of the year were inconvenient to the planters, why not commence earlier instead of later? He would have no objection to the apprenticeship ending in November, 1839, but could not consent to extend the period of slavery.

The Duke of Wellington withdrew his Amendment in favour of the proposition of Viscount St. Vincent, which was adopted; and the clause, with Amendments, agreed to.

On reading Clause 3,

The Duke of *Wellington* said, that, as the clause stood, he feared it might have a retrospective effect; he, therefore, moved an Amendment, providing that the clause should apply to such persons only as were in England, or the free British dominions, with consent of their owners at the time of, or after the passing of the Act.

The *Lord Chancellor* opposed the Amendment as unnecessary, and said, that the consequences anticipated by the noble Duke could not arise; for, as the clause now stood, a slave leaving Jamaica for England after the passing of the Act, would, on arriving in England, become free; but his children would still remain subject to the law—nay, the child of a slave born after the parent left Jamaica, but before the passing of this Act, would still not be free. The noble and learned Lord then adverted at some length to the decision of a learned Judge, which condemned a slave who had been in England, and who, consequently, became free, to slavery again on returning to Jamaica, and spoke of the decision as one which had given great dissatisfaction, not only to the public, but to the Bar generally. Such a man being a natural born subject of his Majesty, would have as good a right to sit in the other House of Parliament, or in that House, as the noble Duke opposite (the Duke of Wellington) who was illustrious by his actions, or the illustrious Duke near him, who was illustrious by the courtesy of that House.

The Duke of *Cumberland* rose to order. He had not said one word to call for such an attack.

The *Lord Chancellor* said, that the illustrious Duke was out of order, and in calling him to order was most disorderly. The illustrious Duke said, he had not alluded to him (the Lord Chancellor), but he was alluding to the illustrious Duke.

The Duke of *Cumberland* again rose. He had not said one word, not one single word on the subject; he had not alluded to the subject; and the noble and learned Lord had no cause whatever to address him.

The *Lord Chancellor* said, the illustrious Duke was most disorderly in calling him to order, on the score of having addressed the illustrious Duke. He had a right to address any one of their Lordships. He had exercised the right of addressing the Members of the other House for twenty years, and, please God, he would continue to exercise that right as regarded their Lordships. He was contending, that the negro, if a free subject of his Majesty, had a right to sit in Parliament—as good a right to sit there as any one of the noble Lords opposite—as good a right as any of the right reverend Bishops, or as the illustrious Duke—or as the other noble Duke, who was illustrious by his conduct—to sit in that House, if it pleased his Majesty to confer on him the honours of the Peerage—and as much right to sit in the other House as any man there, if any body of electors sent him to Parliament. Every one acquainted with the history of Parliament knew, in fact, that this was a circumstance which was likely to be tried. A noble Lord, in the days of Schedule A, who was responsible to nobody but himself, talked of sending his black servant into Parliament; whether it was with the intention of trying the right of the negroes, or of bringing into Parliament men of that colour, he did not know; but certainly such an intention was professed. How did that bear upon the argument? Why, it showed, that the man having been in England, was a proof that he was fit for freedom; and he should have considered the clause most imperfect, if it had omitted to provide for the case which had come under consideration. He denied that the clause would be retrospective.

The Duke of *Wellington* said, that as he proposed to amend the clause, it would give permanent freedom to such slaves as might in future come to England, while it would be likely to prevent the lawsuits which must arise from the clause having a retrospective operation.

Lord *Wynford*, with reference to the observation of the noble and learned Lord (the Lord Chancellor), must express a doubt whether the noble and learned Lord had a right to address any noble Lord he pleased. With respect to the question before the Committee, he was of opinion, that Lord Stowell's judgment was a most correct one, and he supported the Amendment.

The Earl of *Ripon* supported the clause, and said its justice was evident. He knew a case of a slave who had been twenty years absent from the colonies, and had been working in this country as a carpenter, enjoying all that time his freedom, who, when he went back to the colony, was again made a slave of. He must say, to the credit of the owner, when he was informed of the circumstance, he ordered the man to be restored to freedom, and settled a pension for life on him. The clause embodied the just principle on which this gentleman acted.

Viscount *St. Vincent* remarked, that, after the passing of the Act, all the slaves who had ever been in England would instantly be free, and the owners of them would even lose all compensation.

Earl *Grey* said, that all those who were now slaves, whatever might have been their previous condition, would be slaves up to the passing of this Act; and all the children born of them till that time, would remain in that condition. From the passing of this Act certainly they would become free.

Their Lordships divided on the question, that the words proposed by the Duke of Wellington be left out, in order to insert the words, "now are in England, or may be hereafter," stand part of the clause—Contents 23; Not-Contents 12: Majority 11.

The Clause agreed to.

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MARQUESSES.
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EARLS.
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Clause 4, defining the classes of apprentices, was proposed.

The Duke of *Wellington* objected to the clause altogether, as not only useless, but as eminently calculated to produce the most fatal mischiefs.

The Earl of *Ripon* said, it would be quite impossible to carry the Bill into due effect without the distinction of prædial and non-prædial labourers; and as the labour of the latter, being domestic servants, would be indefinite, it was but just to emancipate them at an earlier period than the prædial labourers, whose labour was definite and less.

Lord *Wynford* objected to the clause. Nothing could be more absurd, or more mischievous, than the proposed distinction. It was out of the question to suppose, that while one portion, and that by far the most numerous, of the slaves, were emancipated at the end of four years, that the other portion would remain in servitude two years longer. The attempt to enforce such a tyrannical absurdity would inevitably lead to general dissatisfaction and insurrection.

Clause agreed to.

On Clause 9—"Apprenticed Labourers not to be removed from the colonies"—being proposed,

The Duke of *Wellington* objected to it, and wished that proprietors, having two estates on one colony, might be enabled to transfer their slaves from the one to the other.

The Duke of *Richmond* said, that it was well known that slaves had an excessive repugnance to being removed from one place to another—many cases had occurred in which slaves, to whom the option had been made, refused even to be transferred from an unhealthy place to a healthy one. In point of fact, as it was, slaves were not compelled to go from one estate to another, and surely apprenticed negroes ought not to be put in a worse position than the slaves.

Lord *Wynford* opposed the clause. If enforced, proprietors with two separate estates would be obliged to keep two sets of slaves, to the manifest disadvantage of both parties, instead of being permitted to avail themselves of that concentration of negro services which was so essential both for their own advantage and the convenience of the slaves themselves.

Clause, with an Amendment, to stand part of the Bill.

On the 22nd Clause—"Apprenticed Labourers to be exempted from military service"—being read,

The Earl of Ripon proposed a proviso to the clause, that the apprentices should not be allowed to have arms, or serve in the militia, &c.

The Duke of *Wellington* objected to the clause altogether, as likely to be eminently mischievous. It was telling the slaves, that, at the end of that period, they would be liable to enjoy all civil rights. It would frighten every white from the colonies who could leave them. He wished the whole clause to be omitted.

Viscount *St. Vincent* opposed the clause as likely to cause a great deal of mischief.

The Earl of *Ripon* explained, that it was necessary to have the clause and the proviso, otherwise the apprentices would be liable to serve, according to the law at present, in the militia.

Lord *Wynford* objected to the clause as tying up the hands of the Local Legislatures, and compelling them at the end of the apprenticeship to enrol the negroes in the militia, so that, at the end of that time, there would be 70,000 blacks in the militia of Jamaica alone. He thought the clause ought to be omitted.

The Duke of *Wellington* must again protest against the whole clause. It was calculated to strike terror into all the inhabitants of the colonies. The British Parliament ought not to make such a declaration as was contained in this clause.

The Duke of *Richmond* proposed, that the words "no longer," should be omitted, which would prevent the apprentice from being enrolled at present, and would not tell them they were to be enrolled at the end of their apprenticeship.

The Committee divided on the question, that the clause stand part of the Bill, when there appeared—Contents 31; Not-Contents 11: Majority 20.

The Clause was agreed to.

House resumed; Committee to sit again.

HOUSE OF COMMONS,

Wednesday, August 14, 1833.

MINUTES.] Bill. Read a third time:—Slave Trade Convention.

Petitions presented. By Mr. FITZGERALD, from Louth, for the Removal of the Commissioner sent by Government, on account of his Incompetency.—By Mr. POULTER, from Kington-Magna-cum-Myland, for the Abolition of Tithes.—By Lord HENNIKER, from Wenhanston, for the Establishment of Local Courts; from Framlingham and two other Places, for the Repeal of the Malt Tax; and from a Number of Places, against the Highway Bill.—By Mr. LYALL, from Sailors in London Docks, against Impressment; and from the Shipowners of the Port of London, for Redress.—By Mr. E. RUTHVEN, from the Curragh of Kildare, for Abolishing the Office of Inspector thereof.—By Mr. E. RUTHVEN, from Kilmeague, against Tithes.

MERCHANT SEAMEN'S SIXPENCES.] Lord George Bentinck presented a Petition from King's Lynn, against the payment of the Merchant Seamen's Sixpences to Greenwich Hospital.

Lord *William Lennox,* in supporting the prayer of the petition, said, that nothing could be more unjust than that a tax should be imposed upon the Merchant Seamen to support a public national institution; he was far from wishing to advocate any measure which would have the effect of injuring the establishment of Greenwich Hospital in any way whatever, or of depriving any seaman suffering from the infirmities incident to old age, or from wounds gained in his Majesty's service, of a home in his old age, and a comfortable establishment in his infirmity; but he thought the country ought to support its own national institutions, and not throw a burthen of twenty thousand pounds a-year upon the shipping interest of the country; for such it really was. The tax was a partial one, and being raised from a few individuals for a national object, became an unjust one. He trusted that his Majesty's Government would early next Session remove this iniquitous tax.

Mr. *Hume* expressed his conviction that there was no class more deserving of commiseration than that to which the petitioners belonged. The Merchant Seamen came home frequently destitute, and actually wanting the sixpences which were taken from these poor wretched men to support Greenwich Hospital. The hon. Baronet opposite (Sir James Graham) had hitherto opposed any alteration of the system, but he hoped that the hon. Baronet would see a new light on the subject next Session.

Sir *James Graham* took a different view of the subject, because he should think himself criminal if he were to consent to Greenwich Hospital being deprived of that fund for its support; nor could he consider that the tax was so onerous as it had been described; because, when first put on, in the reign of William 3rd, it was at the same amount per month as at present, although the value of money was so much greater then than it was now. He also feared that, if the tax were removed, the seamen themselves would not be benefited by it, but that the advantage would go into the pockets of their employers. He should not be justified in giving up that income for Greenwich Hospital, either now or next Session, unless he were satisfied that the House would be inclined to make good the funds by other means; and under any circumstances, he would assert to the House, that every effort should be continued to reduce as much as possible the cost of the establishment.

Mr. *Lyall* had a petition to present on the same subject, and would take the opportunity of stating to the House his opinions upon it. When Greenwich Hospital was originally founded, it was intended for the reception of Merchant Seamen as well as others; but, in the reign of Queen Anne, it was found barely competent to the accommodation of the naval seamen, and it was then confined to them. In consequence of this, in the year 1747, the shipowners and merchants applied to Parliament, for an Act to establish separate Merchant Seamen's Hospitals, and, as a proof that the implied charge against the merchants and shipowners of taking advantage of the seamen was unjust, he would state, that the amounts from time to time levied under that Act, up to December, 1831, was 231,000*l.*, and that the expenditure had exceeded that income by 13,158*l.*, the deficiency being made up by the merchants and shipowners. He had made inquiry at all the out-ports, as well as at the port of London, and (excepting Swansea, Bristol, and Whitehaven, from whence no returns had been received) he found that the receipts last year, from the 6*d.* per month levied exclusively for the Merchant Seamen's Hospital, amounted to 8,504*l.*, and the disbursements to 10,350*l.* From this deficiency, pensions, in particular cases, which used to be 8*l.* per annum, were reduced to 4*l.*, and the widows, orphans, and other claimants were not assisted as they would be if all the money raised from Merchant Seamen were appropriated to the distressed and disabled of their class, and to their unprovided widows and orphans.

Lord *George Bentinck* read extracts from the original Act, in support of the statement of the hon. member for London. He saw no reason why 24,000*l.* a-year should not come out of the general revenue of the country on the same principle that his Majesty's Government applied to this House to pay one-fourth the expense of the metropolitan police out of the revenue of the country. It was clear the Merchant Seamen of England would derive the whole benefit of the remission of sixpence per month. They all felt the great advantage of the sixpence per month being contributed to the other fund, which was an excellent society, and they all prayed that that sixpence per month might be transferred from Greenwich Hospital to the Merchant Seamen's fund. He, for one—and he believed there were a great many other hon. Members in the House who would do the same—would stand by his Majesty's Ministers, and support them in the next Session of Parliament, if they would come down and charge that 24,000*l.* a-year which was now contributed towards Greenwich Hospital by the merchant seamen, on the general resources of the country.

Petition to lie on the Table.

COMMISSIONERS OF BANKRUPT IN PARLIAMENT.] Sir *Thomas Freemantle* rose to bring forward a Motion, of which he had given notice, affecting the seat of the hon. member for Cambridge. In entering on this task, which he felt to be somewhat of an invidious and personal nature, he could assure the hon. Member, that he did it with great regret; but having moved for the papers, the contents of which seemed to make out a strong case, he should feel that he was justly subjecting himself to blame if he shrunk from the duty which the perusal of those papers seemed to impose upon him. He should do that duty fairly, and without exaggeration; and if in the course of what he was about to say he should state anything that was offensive to the feelings of the hon. Member, he begged the hon. Member to believe, that he did not intend it to be so. For that hon. Member he felt the greatest respect; and though their political feelings differed, nay, were wide as the poles asunder, he should be sorry to see him lose his seat, or even be put to the expense of a new election. He should now state what was the law upon this subject. The House were aware, that two Sessions ago, the whole system of the practice of bankruptcy had been altered, and new officers of every kind appointed. A variety of different officers constituted the several branches of the Court. The Bill thus prepared, came down to that House from the House of Lords, and the House of Commons being always watchful of their proper privileges, and anxious to provide against any increase in the influence of the Crown, introduced a clause which, in his opinion, vacated the seat of the hon. Member. That clause was to this effect:—"That no Judge, Commissioner, Registrar, or Deputy Registrar, Secretary of Bankrupts, or official Assignee, or other officer to be appointed by virtue of this Act, shall, during their respective continuance in such offices, be capable of being elected, or of sitting as a Member of the House of Commons." That this clause had been introduced solely with the view he had mentioned Gentlemen would readily conceive, when he told them that it was introduced by the present Lord Chief Justice of the Court of King's Bench, who at that time had a seat in that House. Now let them look at another clause, and see what the appointment was which the hon. Member had accepted. In the 14th clause (1 and 2 William 4th, c. 56), it was enacted, "that the Judges who go the several circuits of England and Wales, may be directed by the Lord Chancellor to return to him the name of such number as he shall think fit, to require, of Barristers, Solicitors, and Attorneys, practising in the counties to the said circuits belonging, &c. to act as Commissioners of Bankrupt, according to the districts or places for which such person shall be so returned." Then came the material proviso,—"Provided always, that it shall be lawful for the Lord Chancellor at any time to remove any person from the lists to be so returned for such cause as to him shall seem fit." He contended that the hon. Member was "an officer" under the terms of this Act, and, therefore, incapable of sitting and voting in the House of Commons. He had moved for returns of the Commissioners appointed for the Cambridge district, and from those returns he found, that the Lord Chancellor had directed his Secretary to write the following letter to the hon. Member. It was of the date of March, 1833:—

SIR—I am directed by the Lord Chancellor to inform you, that you have been returned to him by the Judges as a fit person to be named as a Quorum Commissioner in Fiats in Bankruptcy, for a district comprising Cambridge and twenty miles around it. It is his Lordship's wish that you should be informed, that if this recommendation be adopted, it will be expected of you that you shall not act as Counsel under any Commission or Fiat in Bankruptcy in that district, and that your attention shall be given, although not exclusively, yet principally, to the duties of this appointment, so that there may be no unnecessary adjournments or delays in consequence of other engagements of the Commissioners. You will be good enough to inform me whether you are willing to accept the appointment with this understanding, and in that case a list will be formed, containing your name, to be acted upon with as little delay as possible,

I am, Sir, your most obedient Servant,
Wm. Vizard.

To this letter the following answer was returned by Mr. Pryme:

Cambridge, March 27, 1833.

Sir, I am honoured with your letter, informing me that the Judges of the Norfolk Summer Circuit, have recommended me to the Lord Chancellor as a Quorum Commissioner of Bankrupt at Cambridge, and twenty miles round. I am willing to accept the appointment if his Lordship should honour me with it. The usual number of Commissions or Fiats is so small, that they cannot form the pincipal occupation of a member of the legal profession; but I engage that no other professional business shall interfere to occasion any unnecessary delay in holding the meetings under a Fiat of Bankruptcy. I also engage not to act as Counsel under any Commission or Fiat within the district.

I am, Sir, your obedient Servant,
Geo. Pryme.

To Wm. Vizard, Esq.

Absence from Cambridge prevented me from answering the letter immediately.

He held in his hand a letter from an attorney practising in that county, in which he made an application to the Bankruptcy-Office, requesting, that in a Commission in which he was interested, the name of the hon. Member might not be inserted. The answer which was received, was, that he must have Mr. Pryme, and that the request could on no account be complied with. Need he offer further or more satisfactory proof that the hon. Member had *bona fide* accepted the office? The attorney communicated to the hon. and learned Member the day on which the first meeting was expected to take place, and what was the answer returned? That he could not possibly attend, having urgent occasion to be elsewhere at that particular time. He never once repudiated the office, or declared that he had never accepted it; all that he said was, that just at that time he could not attend to the Motion in question. It was clear, then, that he had virtually and sincerely accepted the office. He also held in his hand the affidavit of a person named Adcock, filed in the Court of Review, in which he stated that Messrs. Pryme and Hunt were working a Commission of Bankrupt at St. Ives, and could not then attend for the purposes of the other Commission referred to in the affidavit; but never once had the hon. Member repudiated his connexion with the office in question, and in possession of which he remained from the month of April until the 6th of July. From the return of Mr. Vizard, it appeared that he declared, upon certain occasions, that he "would not act." If these words had any meaning, it was that the hon. Member might have acted if he thought proper, but that he willed not to act—that he was fully qualified and entitled to act, but that he did not choose to do so. It might be alleged that inasmuch as the hon. Member had not performed any duties, he had not done that which vacated his seat as a Member of that House. Now, so far from that being the state of the law as applicable to the subject, he was prepared to show, that it was not the performance of duties, but the mere acceptance of office which had the effect of vacating the seat of a Member. The principle of the law was, that all Members who had placed themselves under the influence of the Crown, should be sent back to their constituents; and he need not argue that that influence was as complete on the acceptance of office as at any other period. But there were other grounds upon which it must be considered that the hon. Member had done wrong in attempting to retain his seat after the acceptance of office. It was most justly looked upon as one of those situations which were incompatible with a seat in Parliament. It could not but be in their recollections, that an Act had been introduced for the purpose of preventing a Master in Chancery from sitting in the House of Commons, it being held that a Master in Chancery could not be in Dublin, and attending his duties in Parliament at the same time. The hon. Baronet referred to the 61st page of the second volume of Hatsell, for the purpose of showing that the mere acceptance of office, constituted an act which vacated the seat in that House. During the Administration of Sir Robert Walpole, a case occurred, in which it was held, certainly, that though a man had kissed hands upon an appointment, it did not amount to a vacation of the seat, because he had done so under the impression that the place he accepted was in Scotland, whereas he expected to have had an appointment in England. The rule, however, was clear, that the mere acceptance of office caused a vacation of the seat, when the acceptance was *bona fide*. Here was a case of a Member three months in office, before he offered his resignation. He hoped the time would never arrive, when the Members of that House would feel themselves at liberty to hold office and their seats at the same time, merely on the ground that they had withdrawn before the blot was hit. He concluded by moving for a new Writ for the University of Cambridge, in the room of George Pryme, Esq.; who, since his election, had been appointed to the office of a Commissioner, under the new Bankrupt Act.

Mr. *Pryme* said, that as this was a matter involving his seat in that House, he might be excused if he felt anxious to make a brief statement of how the matter stood, and he assured them that he should render it as brief as possible. The hon. and learned Member referred, in the first place, to the 1st and 2nd of William 4th, for the purpose of showing that none but the officers of the Bankrupt Court in London could be considered as holding situations under the Crown. The Commissioners of Bankrupt were officers appointed at as early a period as the reign of James 1st; but the circumstances of their appointment had since been frequently modified—even as recently as the 6th of George 4th a material change had been made. He would contend, and he expected with the utmost confidence, that he should succeed in making it clear to the House, that his case did not come under the description of one who had taken office under the Crown. He had not been appointed a Commissioner, but had been directed by a fiat to act under the Commissioners. The Commissioners were, certainly, appointed under the Great Seal, but it was under a fiat that persons acted in the country. By law it was required, that no person practising as a Barrister should be appointed a Commissioner, whereas, it was required, that persons acting under fiats, should at the time be practising barristers or attorneys in the county to which the fiat was directed. For these reasons, as well as for many others, he contended, that the word Commissioner, according to the Act, applied only to the London Commissioners, who were really Commissioners appointed under the Great Seal, and that it did not apply to those persons acting in the country, and under no Commission. Besides, there was another argument that he might use, if further argument were necessary—namely, that the London Commissioners received a fixed yearly salary, whilst those acting in the country received no salary, but simply a fee paid out of the bankrupt's estate. From the small number of fiats issued, a situation such as that he was charged with holding would not be worth any man's acceptance, if he were to be obliged to give up all his time to it. Supposing it accepted by any Member of that House, it could not affect his attendance to his duties there; and he believed, that he could not be accused of neglecting those duties, since he questioned whether there was any hon. Member who, since the commencement of the Session, had been in attendance a greater number of hours than he. The first communication he had with the Lord Chancellor was on the 28th of July. The statement in the letter read by the hon. Baronet, was not correct. He never saw Mr. Adcock on the subject, and any statement asserting that he had, must likewise be incorrect. In a week after the first communication, he wrote to the Lord Chancellor, to the effect, that "understanding his name had been inserted in the list of Commissioners of Bankruptcy for Cambridge, he expressed his doubts whether a question might not be raised as to such an appointment; but in doing so, he also stated, that it was his own impression, that the Act only referred to London Commissioners. At the same time he begged to decline the office, and concluded by offering his thanks to the Lord Chancellor for his kind intentions towards him. He now hoped, that he had satisfied the House, that the office was not one that came under the provisions of the Act. And besides, what ought to set the matter completely at rest, he never acted under any Commission—never was called upon—and never received any fee whatsoever. It was quite clear, that nothing in the Act could affect the writing of the first letter, and he was sure, that whatever might be the political opinions of any party, however, they might be opposed to his—if he knew that party had been incautious in writing any letter that might be construed against him, still if the party did not act under the appointment, he repeated he was quite sure that he would never bring forward such a Motion as that now before the House.

The *Attorney General*, after alluding to the importance of the Motion, which was not to expel a Member from his seat in that House, but which declared the seat vacant, since it was for the issuing of a new writ—said, that the hon. Baronet had not told the House on what point he considered the seat of his hon. and learned friend vacant; nor did he tell them exactly what species of office his hon. and learned friend had been appointed to. It was very doubtful if the Act looked on country Commissioners in the same light as it did on the London Commissioners. For his own part, he thought he could make out that they were not Commissioners under the Act. He could show that the oath in the 7th clause of the Act, which was to be taken by the London Commissioners, and by the Judges, was different from that which was to be taken by those who were to act as Commissioners in the country. Now, those whom the Act excluded from a seat in that House, were the persons who took the oath defined in the 7th clause. Even supposing his hon. and learned friend had accepted the appointment, he was not, therefore, a Commissioner under the Act. But his hon. and learned friend had not accepted the appointment—was never summoned—never took the oath—and never acted as a Commissioner. There was not the slightest pretence for saying that his hon. and learned friend had forfeited his seat in Parliament.

Mr. *Herries* thought, that after what had fallen from the hon. and learned Gentleman who had just spoken, the proper course would be for the hon. Baronet not to press his Motion, but that a Committee should be appointed to inquire, particularly as it was for the first time the question was mooted, whether those acting as Commissioners in the country were like London Commissioners, and as such, came under the meaning of the Act. At any rate it was clear, that country Commissioners were appointed by the Act, as was proved by the return made to that House by the proper officer of the Commissioners appointed under it. At the head of the names in that Return stood that of George Pryme, Esq. The hon. and learned Gentleman had, undoubtedly, virtually accepted of the office, and he had declined to act merely because he was going to pursue other avocations at St. Ives. He would beg to ask, whether it were possible to say, that a gentleman having been written to, to ask if he would take a certain office if appointed, and having answered that he would, and being afterwards appointed to the office, and thereby put in a situation to act under the appointment, had not virtually accepted of the office? He could not doubt for a moment, that the hon. and learned Gentleman did accept the office, and that he afterwards resigned it, because he considered it incompatible with his seat in that House. He admitted, that the clause in the Act 1st and 2nd William 4th, declared that a person holding the office of Commissioner could not sit in that House whilst he held the office. These words limited the dereliction in some measure; and he doubted, as the hon. and learned Member was neither a Commissioner at the time of his election nor at the present time, if those words applied to him. As to his having been appointed to the office, he had not the slightest doubt; and if the words of the Act should be construed so, that the very circumstance of his having accepted the office vacated his seat, then he (Mr. Herries) had no doubt of his having incurred that penalty.

The *Solicitor General* said, that if he had the slightest doubt upon the question, he would at once agree to an inquiry either by a Select Committee, as had been suggested by the hon. Member or in any other way. But there appeared to him to be no reason for the inquiry. He contended that the hon. and learned Member had never been in this office, and if he had been in office, he would not have vacated his seat. The question did not come under the Act by which the seat of any Member accepting of office under the Crown became vacated, but as to the construction of the Act 1st and 2nd William 4th. which applied exclusively to this subject, the first question was, whether or not the hon. and learned Member was a Commissioner of Bankrupts, or officer of the Bankruptcy Court? He was decidedly of opinion that he was no commissioner. There were two sets of commissioners. The one set (which consisted of six members) held their offices under the Crown, and had a fixed salary of 1,500*l.* a year, which clearly disqualified them from sitting in that House, and to them the provisions of the Act were clearly intended to apply. The other set were not apppointed by the Crown, and had no fixed salaries. They were merely appointed on the recommendation of the Judges, and placed on a list made out by the Lord Chancellor. These were not employed, perhaps, above once or twice in the course of a year. The first set of commissioners were not allowed to practise as barristers; and is was to them that the clause of the Act which prohibited sitting in Parliament applied. The others were neither prevented from practising as barristers, nor from sitting in the House. It was clear, that the hon. Member was not an officer, for if he was so, he must be the officer of some Court. Now the officers were the clerks, &c, of the Court of Review, who were under the directions of the Judges, and could be dismissed by them, and to that class he certainly did not belong. But in order to disqualify a Member, he must have been in office; and he contended that the hon. and learned member for Cambridge had never been in office. The Lord Chancellor had made out the list without giving notice to the hon. Member, but as soon as he heard of the appointment, he repudiated it. If the hon. and learned Member had even resigned the office, there might be a shadow of an argument; but the fact was, that he refused to accept it.

Mr. *Harvey* had looked into the Act, and he did not think that there was any ground for the Motion of the hon. Baronet. He thought, however, that there was nothing clearer than that the hon. and learned Gentleman had accepted the office; and he would deal with the question as if the hon. Gentleman were actually in office at that moment. The hon. and learned Member according to his view of the case, had not been appointed to the office under the Act of the 1st and 2nd William 4th. He merely continued to hold an office which he had held before that Act was in existence —namely, that of Commissioner of Bankrupt in the country, and the only object of the Act was, to regulate the mode of appointment. When he entered the House, he thought there could be no case clearer than that of the hon. and learned Member; but he admitted, that the learned Gentleman who had spoken in his behalf had contrived to raise some doubts in his mind. Notwithstanding that, however, he still contended, that in this case the hon. and learned Member had not incurred the penalty of vacating his seat.

Mr. *Hardy* was of opinion, that the 8th section of the Act applied only to those who accepted office for the first time. He could not doubt that the hon. and learned Gentleman was a commissioner from the moment that a fiat was issued with his name included in it, as every fiat was a Commission of Bankrupt under the Great Seal. But he was also clear, that the circumstance of his having held the office did not disqualify the hon. Member from keeping his seat. The hon. and learned Member was not now a commissioner; and he (Mr. Hardy) would ask if the House could decide that they were to deprive Cambridge of their Member, after he had restored himself to the capacity of holding a seat in the House? He was decidedly of opinion, that since the hon. and learned Member had resigned his seat before the writ was moved for, he was entitled to retain his seat.

Sir *Thomas Freemantle* observed, that all those who had spoken on the opposite side of the question were lawyers; and with every respect for their opinions outside of the House, he had no great respect for them inside its walls. They were too much accustomed to the strict and legal mode of considering statutes, and considered too little the privileges of that House. He thought that to them might be applied the observation of Mr. Speaker Onslow to a lawyer, a Member of that House, that the Gentlemen of the Common-Law did not sufficiently consider the dignity and privileges of that House, but were too much bound by strictly technical rules; and that if a common-lawyer should be elected to the Chair of that House, the authority and dignity of the House would be materially lessened. He assured their right hon. Speaker, that no allusion was intended to be made to him, for though he had been a common-lawyer, yet he had not been long acquainted with the practice of the Courts.

The Motion negatived.

STAMP PROSECUTIONS.] Mr. *Hume* held in his hand three returns relating to stamp prosecutions. These would show, that within three years there had been above 400 persons imprisoned for offences against the Stamp-laws. The first of these Returns showed, that in 1831, there had been seventy-seven persons prosecuted for these offences; that, up to February, 1832, there had been 131 persons in prison on account of these offences; that, up to March, 1833, there had been 254. He knew it would be said that all these prosecutions had not been instituted by the Stamp-office, but he believed, that a great, many of these prosecutions had proceeded from the Stamp-office. He was obliged to say, that these prosecutions had increased of late, and especially since the present Ministry came into office. He could distinctly assert, that, from 1819, to the time of the present Ministry coming into office.

there had not been half the number of prosecutions that had taken place since. He wished to know whether that was or was not disgraceful to a liberal Ministry? He should be ashamed of himself if he were in their place, to look back upon his former opinions and then to look at its present practice. If they had not instituted these prosecutions, they had, by their conduct, sanctioned them. There was at this moment a great desire for cheap publications, and the Government ought to encourage it, and not to punish those who put forth such publications. The Ministers ought to show more sympathy with the wishes of the people, and not deprive them of the means of buying this cheap knowledge. They had made many general promises to relieve the people from the obnoxious Acts that now prevented their having cheap publications, but month after month, and Session after Session had passed away, and nothing was done. He put it to the Ministers whether they would allow another six months to pass in this manner, when, perhaps, many more persons would be imprisoned under these obnoxious Acts? He had often told the Ministry what might be done. Let them repeal this one of the Six Acts under which these prosecutions were instituted. They had often spoken against it when out of office; let them repeal it now. He hoped that the noble Lord would promise to introduce a Bill to repeal the 60th George 3rd., c. 69; and if he did so, he would do very satisfactory service to the public.

Lord *Althorp* said, that the hon. Member was mistaken in supposing that these prosecutions were under the 60th George 3rd. By far the greatest number were instituted under an Act of George 2nd, which had lately been brought into execution, and that by common informers. He believed there was only one mode of stopping these prosecutions, and that was by repealing the Stamp-duty on newspapers, and the fact of these prosecutions had been a motive with him for wishing to repeal that duty. With respect to the 60th George 3rd, to which the hon. Member had so much alluded, it was certainly opposed by him and others at the time of its introduction; but he begged the hon. Member to recollect that the parts he opposed were those that related to the giving of recognizances, and to banishment for the second offence. With respect to them, he had not altered his opinion. As to the Six Acts, he observed that some of them had expired; and he hoped the time was not far distant before this Act, which was a permanent one, might be altered; but if this Act was repealed, that would not put an end to stamp prosecutions, for they were instituted under a different Statute.

Mr. *Cobbett* said, that the noble Lord seemed to think that the prosecutions under which these men were imprisoned, were not instituted under one of the Six Acts. He thought the noble Lord was mistaken on that point. The great evil of the Six Acts was that they restrained the people from publishing cheap publications periodically. Before the time of passing those Acts, they might have done so, but now they could not publish any paper of a certain size more than once a month, and not with any sort of news, if the price was less than sixpence. The Act was intended against him, but he had raised the price of his paper, and so far as he was concerned, the Government might as well repeal the Act at once. It could be repealed in two hours. If the hon. Secretary opposite would draw up a Bill of a few lines only, it might at once be introduced into the House and passed through the Legislature in the present Session. It was said, that these were prosecutions of common informers, and that the noble Lord was not answerable for them. But he was answerable, for the prosecutions were in consequence of the law which the Government kept in force, and, therefore, these prosecutions were the work of the Government. Besides, who were these common informers? He was informed that policemen generally brought men before the Magistrates, and that persons from the Stamp-office came forward to become prosecutors. Now, to say nothing of the policemen being under the Orders of the Government, if the Government ordered the Stamp-office to desist from these prosecutions they would do so. The Attorney and Solicitor General had tried, in former times, to put down cheap publications, but now the attempt was made by these Stamp prosecutions, and they were the more efficient. These Stamp officers were more tyrannical and malicious than ever the Attorney or Solicitor General had been.

Conversation dropped.

Prosecutions for Tithes (England).] Mr. *Blamire* wished to call the attention of the hon. and learned Gentleman to statements he had received respecting prosecutions for tithes, instituted in consequence of a clause in Lord Tenterden's Act. He wished to ask whether it was the intention of the Government to introduce any measure for the purpose of staying proceedings for tithes (which he understood to be very numerous) till the Act for the Commutation of Tithes should pass into a law; or whether they intended to adopt some measure to mitigate the difficulties under which the persons now sued for Tithes were placed, by allowing the parties to select one or two cases on which the whole question should be decided, instead of putting them to the expense of contesting two or three hundred?

The *Solicitor General* heard this matter with the greatest possible pain. The Act called Lord Tenterden's Act, relating to the limitations of actions, was introduced on the recommendation of the Law Commissioners, and was founded upon the part of the Report which he had himself framed. The object of that Act was to remove from our law the maxim *nullum tempus occurrit ecclesiæ*—a maxim applicable to our Church alone—there being no other Church in Europe, Protestant or Catholic, in which such a maxim existed. It was recommended by the Commissioners, that after sixty years the mode of payment of tithes which had prevailed within that time should be finally established. But when the Bill came from the House of Lords, a clause had been introduced, allowing three years, during which suits might be commenced for payment of tithes, on the presumption that the tithes had been formerly levied, in a manner different from that practised within sixty years. He had denounced that clause as subversive of the very object of the Bill; but during his absence from town upon professional business, a clause allowing one year, which was to expire on 15th August, 1833, was introduced, and he understood that within the last ten days, thousands of suits had been commenced. It seemed to him a sort of infatuation on the part of the clergy. But what was now to be done he did not know. The Act had given the right of bringing actions up to the 15th of August, 1833, and he knew no way of preventing the exercise of that right. But the evil was of a tremendous kind, and it was as mischievous to the Church itself as to the people, and every true friend of the Church must wish to see a remedy applied to it. He could not introduce an Act for that purpose now; but if his advice were to be listened to, he should say, that an Act of Commutation now to be passed, should proceed upon the principle of *uti possidetis*, and that where there had been an established mode of payment for sixty years, and three incumbrances, that that enjoyment should not be disturbed.

Mr. *Cobbett* said, there was a precedent, on the principle of which he thought the House might now act. That precedent occurred in 1800. There were then 602 actions brought against the clergy for non-residence. At first the Legislature did not know what to do; but afterwards, though it was a direct violation of the law, they passed an Act to stay the proceedings. As that had been done in favour of the clergy, there could be no objection now to do it in favour of the people, especially when they would be at the same time doing a real service to the Church.

Mr. *Warburton* said, that when the clause was passed to which the Solicitor General had alluded, they had entered their protest against this year of grace for the owners of tithes. The consequence of such a clause was obvious. It was an encouragement to the parties to bring actions. He believed, that 5,000 or 6,000 actions were now entered for trial in tithe cases. The whole country was in a flame. Under such circumstances, it was not possible that any Bill for the commutation of tithes could be entered upon with that good temper which all must feel to be most desirable, but which could not exist while discord was running through the land. He should therefore say, that whenever a Bill for commutation was introduced, it should proceed, as the hon. and learned Solicitor General had said, upon the *uti possidetis*, principle, and that the period of the annual value of the tithes must be antedated one year, so that all they might now recover should go for nothing.

SUPPLY—MISCELLANEOUS ESTIMATES.] The House went into a Committee of Supply.

Mr. *Spring Rice* stated, that a sum of 2,189,772*l.* would be wanted for the Miscellaneous Estimates. He observed that they had been reduced this year by 115,600*l.*, the largest reduction he believed which had ever been known to take place in this branch of the public expenditure. There was another point connected with the reduction in the estimates which he wished to impress upon the recollection of the House—it was, that the present was the first year in which no vote for army extraordinaries had been required. This vote was one which was in a manner placed at the discretion of Government, and they were consequently desirous to limit it within as narrow bounds as possible. This they had done, and by a comparison with the votes of former years it would be found they had been successful. In 1829, it was 700,000*l.*; in 1830, 550,000*l.*: in 1831, 550,100*l.*; in 1832, 240,000*l.*; and in the present year, as he had stated, no vote at all was required. He felt the greatest satisfaction in being able to carry on this branch of the expenditure with the vote of last year. The Government had sufficient funds on hand without asking one farthing of the House. With respect to the first vote, he had to mention that the effective service commissariat had been diminished by 4,554*l.*, and the non-effective by 3,500*l.* He moved that 29,395*l.* 7*s.* 10*d.* be granted for defraying the expenses of the Commissariat Department.

Mr. *Hume* was happy to observe that Government had endeavoured to simplify the statement of the year's estimates. With respect to the particular vote, he would recommend its being referred to a Select Committee next Session, with a view of ascertaining whether it could not be still further reduced. He particularly alluded to the Commissariat Departments in Canada and New South Wales, which he thought far too large.

Vote agreed to.

On the Question that the sum of 46,050*l.* for the repairs, &c. of public buildings—for furniture, &c., for various public offices and departments—for certain charges for lighting, watching, &c., and also for the maintenance and repairs of royal palaces and works in the royal gardens, heretofore charged upon the Civil List, be granted,

Mr. *Hume* said, that this vote raised the question as to how many palaces the country ought to build, or ought to keep in repair. It appeared to him, that there were many items in this estimate which might be dispensed with—he alluded especially to those charged for the keeping up palaces not necessary for the accommodation of the Sovereign and his family. He would refer, in the first instance, to Kew Palace. He did not see the necessity there was for keeping that up as a royal palace. He was aware that a portion of it was occupied by members of the royal family; but they had princely incomes, and princely residences elsewhere; and there was no necessity for keeping up that palace at the public expense for their accommodation. Then there was Hampton-court Palace, kept up in the same way, and for the same purpose. Besides, he should like to know whether, when Buckingham Palace was finished, St. James's Palace was to be kept up in the same way that those other palaces were. If that should be the case, the result would be, that they would then have built a new palace for the Sovereign, and they would be put to the expense of keeping the old one, for which he would have no sort of use. In fact, the expense of keeping those palaces in repair was quite enormous. First, there was Windsor Castle; then there was Hampton Court; then Kew Palace; then Kensington Palace; then St. James's Palace; then the Royal Pavilion at Brighton; and lastly, Buckingham Palace, the building of which had cost so much; and for the maintenance of all these the country had to pay. Now, with the exception of Buckingham Palace and Windsor Castle, he did not think that they were called upon to provide more residences for the royal family. Let those two palaces be maintained in sufficient splendor, but let not the public be burthened with the expense of maintaining other palaces that were perfectly useless. The Government, in fact, must take some steps to bring this estimate down to what it ought to be—not more than 20,000*l.* per annum. There was no branch of the public expenditure which deserved more serious consideration than that connected with the various buildings belonging to the public offices. If Somerset-house could be made to accommodate all the public officers, which he believed it could if the Government took care not to fill up the vacancies as they fell out there, the public might sell off the buildings appropriated in different parts of the town to the various public offices, and thus get rid of the expense of keeping them in repair, and several other expenses connected with them. It appeared to him, in looking at this estimate, that by reducing the palaces to their proper number and expenses, and by dispensing with a variety of buildings that were not required for the public service, it might be reduced to about 20,000*l.* a-year.

Lord *Duncannon* said, that with respect to Somerset-house, the places occupied there by official persons, as they fell vacant, were not filled up. Nothing at present could be done towards rendering it fit for the accommodation of all the public offices until the repairs being made in the Stamp-office were finished. Arrangements, however, were in progress to render Somerset-house fit for the accommodation of the various public offices that were now scattered in different parts of the town.

Mr. *George F. Young* said, that he observed in this estimate an item of 2,680*l.* for completing the repairs of Whitehall Chapel. If, as it was stated the other evening by the noble Lord, it was the intention of Government to convert this chapel into a national gallery, might not this item be omitted in the estimate?

Lord *Duncannon* said, that this estimate had been prepared and laid before the House previous to the announcement to which the hon. Member had referred; and besides, much of it was for work that had already been executed.

Lord *George Somerset* must regret the intention which the noble Lord had intimated on the part of Government, of converting this chapel into a national gallery. He for one must deprecate the turning a place of worship into a national gallery, and he must especially deprecate it when, as in this instance, no other place of worship was previously provided for those who had been in the habit of attending at this chapel.

Lord *Duncannon* said, that upon a former evening he had not stated this arrangement as one suggested merely on economical grounds—he had stated it as one that recommended itself for adoption for the twofold reason, that a better gallery would be provided for the public, and at a more economical price. Besides, this building had been always considered a most inappropriate one for a chapel. He believed, that so general was that feeling that upon a former occasion it had been proposed to convert it into a national library, and that the Bishop of the diocess had more than once stated that he did not regard it as a building properly calculated for a chapel. He could assure the noble Lord, upon the authority of persons who understood the subject well, that a better place, after certain alterations were made in it, could not be supplied for a national gallery than Whitehall Chapel.

Mr. *Briscoe* was surprised at the extravagance of this estimate. Indeed, he had been surprised at it year after year, and he would move for some reduction in it now in order to take the sense of the House upon the subject. He saw amongst other items that the public were charged with the expense of maintaining the various kitchen-gardens attached to the royal palaces. He begged to move, as an Amendment that the sum in this estimate be reduced to 41,050*l.*

Mr. *Spring Rice* would briefly state a few facts to the House, which would prove, that this estimate had been framed upon the most economical principles. In the year 1831, when the first estimate on this subject was brought forward by the present Government, the amount of the vote was 66,675*l.* In the year 1832, that sum had been reduced to 57,357*l.*; in the year 1833 it had been reduced to 50,661*l.*; and the estimate now asked for the current year was so low as 46,050*l.* It appeared, then, from that statement that a reduction to the amount of 20,000*l.* had actually been made in this estimate in the course of three years. Originally it was 66,000*l.*, but in consequence of measures which had since been adopted by his noble friend (Lord Duncannon), it was reduced to the amount he had mentioned. The result of the change made in the Civil List respecting those palaces was, that, at the time that change had been made, the charge for them amounted to 39,000*l.*, and that the same service was now performed for an estimate not exceeding 22,670*l.*, so that a reduction of about 16,329*l.* had been made in that portion of the vote. Such had been the result of the arrangements made by his noble friend in bringing this matter under the review of Parliament. He had one observation to make as to the number of palaces, in reply to what had fallen from the hon. member for Middlesex. Government had undoubtedly taken charge of the maintenance of them, and he would put it to the House whether the proprietors of great hereditary mansions would like to dispose of them, or allow them to fall into decay. It would not, surely, be a popular act on the part of such hereditary proprietors to dismantle those great mansions that had descended to them from their ancestors; and those palaces having descended as hereditary mansions to the Crown, the State should support them, and not allow them to fall into decay. It was true, that when the Government originally proposed to submit this item of the public expenditure to Parliament, they were told that Parliament would treat it with a parsimonious feeling. They rejected the idea then, at the same time that they felt that Parliament would, no doubt, desire that every degree of proper economy should be observed upon the subject, and upon such principles the present estimate had been framed. It was surely, then, safer to go with the Government and vote for this estimate, than to vote for the capricious reduction proposed by the hon. member for Surrey.

Mr. *Cobbett* would not vote for the Amendment proposed by the hon. member for Surrey, as he would rather have one single word of promise from the noble Lord opposite—one single intimation from him that he would do all he could to reduce this expenditure—than divide for so small a sum of money; and he would not vote for it also for this reason, that if he voted for the sum being 5,000*l*. less, he should be so far giving his sanction to an expenditure of which he could not altogether approve. Of this he was sure, that there was not a man in the kingdom who would grudge the King or the royal family any thing that was necessary to their splendor, pleasure, or magnificence. He spoke of the feelings of the people because he knew them to be such, but those feelings should not be shocked by flagrant expenditure and unfeeling waste. There was not a man in the kingdom, not even the poorest labourer, who would not gladly work a day extra rather than see St. James's Palace or Windsor Castle pulled down. He would not, however, say so of Buckingham Palace. No one would complain of its being pulled down. There was an enormous large sum expended upon a heap of marble at that palace which he had spent several mornings looking at, and he could make nothing of it. This 75,000*l*. amounted to a year's poor-rates for the county of Bedford, and to the wages of 3,500 labourers at 12*s*. a-week for twelve months. It was monstrous to fling the public money away in this manner. It was such things that made the people angry with the Government. If the noble Lord would pledge himself to reduce this expenditure as much as possible in future, he (Mr. Cobbett) would be content, and so would the people too.

Lord *Althorp* said, that the hon. Member having thrown it upon him to give a pledge on this subject, he would only say that he thought what had just been stated by his hon. friend, the member for Cambridge was the best pledge that Government could possibly give of its intention to follow up the principle of the strictest economy in reference to this estimate. What Ministers had done already was a better assurance than any promise he could give of what they were determined to do in future; and with regard to the building to which the hon. member for Oldham had referred, he might be perfectly assured that no such building had ever been authorized by his Majesty himself, or by any of his present advisers.

Sir *Robert Inglis* said, that all the arguments of the hon. member for Middlesex and the hon. member for Oldham and others, on this subject, proceeded on the supposition that we were dealing liberally with the Crown in this instance, and that, in fact, we were making the Crown our debtor. Now, he would contend that we were giving nothing to the Crown to which the Crown was not fully entitled, and that the Crown owed nothing to the people in that respect. One fact would prove the truth of what he stated. When the Crown surrendered its hereditary revenues on the accession of George 3rd, a specific bargain was made with the Crown that all those matters should be provided for out of the Civil List. A return had been lately laid before the House, showing what had been the aggregate amount of the revenues thus relinquished by the Crown since that period, and, having referred to it since the commencement of this discussion, he would just state the result. It was this—that the hereditary revenues surrendered by the Crown from 1762 to the 30th of January, 1830 amounted to 94,871,451*l*. Deducting from that amount what might have been required for annuities, and the discharge of debts on the Civil List, which might be estimated at 65,000,000*l*., a balance of 29,000,000*l*. was left in favour of the people. Now, after that statement, he supposed it would not be thought too much to ask the people to pay 20,000*l*. a-year for keeping those old palaces in repair. He hoped, under such circumstances, the amendment would not be pressed. With regard to the expense incurred for the arch, he was not prepared to defend it, but this he would say, that much good was done to the labouring and industrious classes of the country by an expenditure of that description; of course, he did not mean to say that that circumstance would justify a too large expenditure of the public money. If the Government attempted to convert Whitehall Chapel into a national gallery, that accommodation could not be afforded to the Royal Academy which all seemed to think so desirable.

Mr. *Briscoe* was willing to withdraw his Amendment on the understanding that Government would agree to the proposition of the hon. member for Middlesex.

Lord *Althorp* observed that Govenment was doing everything in its power to reduce the expenditure, but he could give no specific promise on the subject.

Lord *Duncannon* stated, in reference to a former question of the hon. member for Middlesex, that nothing would be done for the conversion of Whitehall chapel into a national gallery without due consideration. It was necessary to make some arrangement on the subject of the grant at this late period of the Session, and the smaller sum had been proposed as most expedient, under all the circumstances. If the national gallery were not erected at Trafalgar-square, no appropriation of the ground would take place till the re-assembling of Parliament.

The vote agreed to.

On the Resolution for granting 24,000*l.* for the expense of the new buildings at the British Museum.

Mr. *Cobbett* complained that those were taxed to pay for the British Museum to whom it was inaccessible. He was certain that the House had not a moral right to grant away the public money in this way, and he even doubted whether it had the legal right. He admitted, that this system had a tendency to beautify and aggrandize this town; but he had observed that wherever such a system had been practised in past times, it had been the sure precursor of national downfall and ruin. How was all this show got up and paid for? By extorting the money from the pockets of the poor, who were not able to visit the Museum, and by extracting it from the pockets of the country gentlemen, who seldom, if ever, came up to London. With respect to the management of the Museum, he believed it to be as bad as bad could be. The officers of it were for the most part clergymen, who employed poor curates to perform their duty at their different livings, whilst they were living in indolence and affluence here in London. He knew that he was now telling truth, and, what was more, truth that was unpalatable. The House and the country, however, would thank him for it hereafter; but whether they did or not, if nobody else in that House would tell disagreeable truths, he would. The country, he was sure, would profit from such a practice. The expenditure in the Museum was as profligate as profligate could be; and if the returns for which he was inclined to move were granted, he would undertake to prove it.

Mr. *Spring Rice* said, that it was very easy to make assertions, but not altogether so easy to prove them. He would take the hon. member for Oldham at his word; he should have the accounts to which he referred, and he should be placed in a situation to prove, if those accounts would let him prove, the misconduct of which he complained so vehemently. He begged to remind the Committee, that Government was not responsible for the management of the Museum; but, without knowing the trustees personally, he would say, from his general knowledge of their private characters, that he was quite sure that they would not sanction such proceedings as those which the hon. member for Oldham had announced. The hon. Member should have every account and disbursement for which he had asked. He (Mr. Rice) was not himself a trustee of the Museum, but, he felt that he was only performing his duty to the trustees of that institution when he gave the hon. Member that promise on their behalf. The hon. member for Oldham had availed himself of that opportunity to laud himself as the only person who dared to speak unpalatable truths in that House. That the statement which the hon. Member had made that evening was unpalatable he freely admitted; but whether it was the truth, he for one, knew not. The hon. Member said, that the poorer classes took no interest whatever in the Museum. Let the hon. Member go to the Museum on any public day, and he would find it crowded, especially on Mondays and Tuesdays, with members of the poorer classes, who went there to see the works of art and science, which they had read of in the works of information which they had read on the previous Saturday. He would see that the pleasure derivable from the *chefs d'œuvres* of arts and science was not confined to the higher classes, but was extended even to those whom we were accustomed to consider as the lower classes of the community.

Mr. *Tooke* said, that the officers of the Museum were not in general clergymen.

Only two of them were clergymen, and one of those two only was beneficed. Mr. Henry Ellis, a layman, was at the head of the Museum.

Mr. *Cobbett* said, that he had neither criticised nor attacked the trustees of the Museum. He knew better—he knew that they knew nothing at all about its internal management. The hon. member for Cambridge was very angry with him for what he had just said—[Mr. *Rice:* "*No.*"] No? then it was much worse, for the hon. Gentleman must have feigned anger. If he were good humoured, let him seem so and be so. If the accounts of the British Museum were given to him, he would undertake to make them all up with ease in six hours; he would undertake to prove, that 16,000*l.* a-year was spent in that Museum in a way which the hon. Secretary would not even pretend to justify. He might be wrong in saying that none of the poor of this country derived any benefit from visiting the Museum. Perhaps the labouring classes of the metropolis might sometimes visit it; but the man who worked in the fields, at a distance from London, could not come up to view it; and why, therefore, should he be called upon to contribute to the payment of the expenses incurred in keeping it in order? At the present moment, when every man was exclaiming against the enormous amount of taxes which he had to pay, we ought not to be flinging away the money of the nation in the purchase of useless fineries. He had received a letter that morning from Hull, by which he heard that the people there had refused to pay the Assessed-taxes—that their goods had been seized, and exposed to sale—but that no one had come forward to purchase them. He would not give the Committee the trouble of dividing upon this grant; but he must say, that, in his opinion, this expenditure of 24,000*l.* was not as well managed as it ought to be.

Sir *Charles Burrell* said, that he had been at the Museum that day. There were about 500 persons there at the same time, all of the poorer classes of the society. He never saw persons enjoying themselves more than they appeared to do in contemplating the curious productions of nature and art which were there submitted to their view. It was said, that the poorer classes in the more distant parts of England were prevented from visiting the Museum. This was to a certain extent true: but when rail-roads to and from the metropolis were completed, he was convinced that not only the master manufacturers but also their artisans would avail themselves of that mode of conveyance to London in order to study the works of art now collected in the Museum. The late Mr. Wedgwood, the inventor of the pottery which went by his name, had repeatedly acknowledged with gratitude the great benefit which he had derived from the inspection of the works of art in London.

Vote agreed to.

The next Estimate was 40,000*l.* to defray the expense of repairs and alterations at Windsor Castle.

Mr. *Cobbett* asked Ministers this question:—"Were there less than 10,000 men at this moment in gaol for fiscal exactions, and were there less than 10,000 families suffering in consequence of their imprisonment?" If the answer of Ministers were, as it ought to be, in the affirmative, then he would ask, was this the time for expending more money in altering and repairing Windsor Castle? For his own part, he believed that Windsor Castle was now much worse off than it was before its recent changes. To call this a Reformed Parliament, and in a Reformed Parliament to vote away money for a purpose like this was enough to make every Member ashamed to see himself if he only went out of the House by daylight. If we go on at this rate, (said the hon. Member) the people will have a right to oppose us by every peaceable and constitutional means in their power; and if they shall be unable to bring us back to reason by peaceable means, they will obtain at length the right of resorting to absolute resistance.

Mr. *Spring Rice:* I wonder at the indiscretion, for I will not call it by a harsher term, of which the hon. member for Oldham has been guilty. Let the public decide on the truth of the hon. Member's assertions by this one circumstance; he alleges as a fact, that 10,000 men are now confined in the different gaols of this kingdom in consequence of revenue prosecutions. Why does he say that? On what authority does he avouch it? Let him call for all the returns which he chooses, and prove it if he can. To produce some effect of his own, which I will not venture to describe, the hon. Member ventures to assert that 10,000 men are imprisoned on revenue charges. I call upon him to prove that assertion now, or to be convicted here in the presence of the assembled Commons of England, and of the whole British public, of having wilfully and deliberately, for his own purposes, made an assertion which he cannot justify. There never was a misstatement more gross than that on which the hon. member for Oldham has just ventured. He has now upon the Table a return from every prison in the kingdom, containing an account of the number of persons confined within it. He has time before the end of the Session, to look those returns through—let him apply himself to the task, and see whether he can make out that number from those returns. There was no delusion greater the (hon. Gentleman continued) and certainly none more mischievous, than that which under any circumstances brought into direct contrast with each other, the situation and comforts of the different classes of society. If it were possible that there was not a single poor man in England, it would be as much the duty of the House then, as it is now, to refuse every grant which was not warranted by the exigencies of the public service; but it was most unfair and unjust, for the sake of aiding an argument of temporary interest at best, to contrast the condition of the poor with that of the rich, in such a manner as to cast odium upon the rich as the authors of all the misery of the poor. Such contrasts must always be in existence as long as man was man. If you could improve the condition of the poor by them, he should say, that it was right to make such contrasts; but if the only result to be derived from such contrasts was to kindle animosities which did not exist, and to blow the trumpet for an everlasting civil war, he should then say, that it was not the part neither of a good citizen or of a good subject, or of a good member of Parliament, or of a just and legitimate reasoner, to make such contrasts.

Mr. *Cobbett* was sorry to see the hon. Secretary treat this subject with so much passion. He asserted that he had not drawn any invidious contrast—or, indeed, any contrast at all—between the condition of the rich and that of the poor. He had complained of the number of persons who were now suffering under the exactions of the taxation of the country. He repeated that he had made no contrast between the rich and the poor. Why should he have made such a contrast, when he knew that there was no set of men poorer than those who were styled gentlemen of landed estate? The hon. Secretary had acted that evening as he had acted on a previous occasion, when the Stamp-acts were under consideration. He had gone into figures of rhetoric, when he ought to have attended to figures of arithmetic,—he had dealt in a wonderful confusion of tropes and metaphors, when he ought to have confined himself to the simplicity of facts. It was his (Mr. Cobbett's) firm belief, that there were at this moment more than 10,000 persons in prison, in consequence of the pressure of taxation. The House was so impatient. He wished the people were so impatient. He might be guilty of an indiscretion—he thanked the hon. Secretary for giving him that word—in making that assertion: but, if the people were as impatient about the paying, as the House was about the voting away their money, he thought that the Treasury would not be much the better for it. He would undertake to prove, that 10,000 men and more were now in prison, in consequence of the fiscal exactions of the Government; and if he failed in establishing that point to the conviction of every fair and impartial man, he would own that he was fairly exposed to the reproaches of the hon. Gentleman.

Mr. *Hume* thought, that it was the duty of an honest member of Parliament, if he saw squalid misery existing among the poor, and if he reflected that the poor supplied the great part of the expenditure of the State, out of the earnings of their industry, to state it in a fair and candid manner, free from extenuation on the one hand, and from exaggeration on the other. He had stated, on several previous occasions, his objections to this grant for the repair of Windsor Castle. "I stated," said Mr. Hume, "those objections as strong as man could state them, I stated them, as strong as I could state them." The hon. member for Oldham had not said a single word about fiscal prosecutions; he had merely spoken of fiscal exactions. He (Mr. Hume) believed that, instead of 10,000 men having been committed to gaol by fiscal exactions, there had been 50,000. He believed that at this present moment there were not so many as 10,000 persons in prison for debts of any description. About three years ago, in all the gaols of England, Scotland, and Ireland, the number of persons confined amounted to 5,300. He believed that the number of persons now confined in the metropolitan prisons was less by 600 or 700 than it had been for many years past. He did not, however, the less deprecate, on that account, any complaint which had a tendency to infer that, because the number of persons imprisoned had diminished, it was therefore the duty of an honest Member of Parliament to be silent when he saw the money of his constituents absolutely thrown away. He would not object to this grant now, as the repairs of Windsor Castle were now almost at a close; but this he must say, that nothing had affected the people of England more than, that 600,000*l.* should have been expended upon the repairs of Windsor Castle, and 800,000*l.* upon the rebuilding of Buckingham House, and yet that neither of those buildings was at present completed.

Mr. *Robinson* thought, that the House would be guilty of a dereliction of its duty if it did not justify itself from the imputation which had just been cast upon it. The hon. Gentleman had said, that the hon. member for Oldham had been guilty of an indiscretion: he (Mr. Robinson) would go still further, and would say, that that hon. Member had been guilty of an act of gross injustice towards the House, for he had had the presumption to arrogate to himself the monopoly of all the philanthropy felt for the lower classes of the community. How could the hon. Member presume to arrogate to himself all the regard of the House for the interest of the poorer members of the community? He would not yield to that hon. Member in love for the lower classes, or in a desire to alleviate their misfortunes and distresses. What did the hon. Member mean by saying that we should be ashamed to see ourselves, upon walking out of the House, if we did not walk out in the darkness of night, instead of the brightness of day? And what connexion had he shown to exist between this vote and the alleged distresses of the country? The hon. Gentleman had certainly indulged in imputations against Ministers which he had no facts to justify.

The vote agreed to.

The next vote was, that a sum of 10,000*l.* be granted "on account of the expense of erecting a national gallery."

Colonel *Evans* expressed his disapprobation of the plan of converting the chapel at Whitehall into a gallery for the reception of works of art. He thought that a new building for the purpose should be commenced immediately in Trafalgar Square.

Lord *Duncannon* said, he was informed that Whitehall Chapel would perfectly answer the purpose to which it was intended to appropriate it; but if, upon examination, this should turn out not to be the case, no part of the money would be expended on the alteration of the building, and the ground in Trafalgar-square would, in the mean time, remain unbuilt upon till the next Session of Parliament.

Colonel *Evans* hoped, that, as the sense of the House was in favour of the erection of a new gallery in Trafalgar-square, the noble Lord would pause before he took any steps with respect to Whitehall Chapel.

Mr. *Cobbett* said, he would enter into a compromise with Ministers; he would support a vote of 50,000*l.* for a national gallery, if they would repeal the Malt-tax. Until that was done, they could not afford money for a national gallery.

Lord *Duncannon* said, that by converting the chapel at Whitehall into a gallery, instead of building a new one, a great saving would be effected.

Colonel *Evans* said, that the cheap plan was proposed under the idea that the House would refuse a grant sufficiently large to enable a new gallery to be built, but, now that that notion was dissipated, surely it was advisable at once to commence the building in Trafalgar-square.

Mr. *William Brougham* asked whether, if Government should resolve upon the erection of a new gallery, Mr. Wilkins's plan would be followed?

Lord *Duncannon* said, that Government were bound to act upon Mr. Wilkins's plan if a new gallery should be built.

Mr. *Hume* thought, that other architects ought to be allowed to send in plans.

Mr. *William Brougham* said, that other plans had been submitted to Government, which he thought superior to that of Mr. Wilkins. He would oppose the grant now proposed, if an assurance were not given that it should not be appropriated to the completion of Mr. Wilkins's plan.

Lord *Duncannon* explained, that his declaration as to Government being bound to follow Mr. Wilkins's plan must be received with this qualification—that they were bound to do so only in the event of his undertaking to complete the building for 62,000*l.*

Mr. *Estcourt* wished the noble Lord to explain how Government could be bound to follow Mr. Wilkins's plan, when he himself had abandoned it? He hoped competition would be allowed.

Lord *Duncannon* said, that Mr. Wilkins had prepared his plan under the authority of the Treasury; and, if his contract for executing it had come within 62,000*l.* it would have been adopted, and by this time partly executed. His tender, however, amounted to 75,000*l.*, and, under those circumstances, Government would not proceed with the work until they brought the matter under the consideration of Parliament.

The vote agreed to; the House resumed.

LONDON PACKAGE AND SCAVAGE BILL.] Mr. Poulett Thomson moved the third reading of this Bill.

Mr. *Matthias Attwood* considered the Bill to be a measure which was inconsistent with sound financial principles. The object of the Bill was, to purchase the repeal of taxes, amounting to 35,000*l.* a year, by a grant of 160,000*l.* He objected to the payment of this sum of money, because, according to the repeated declarations of the Chancellor of the Exchequer, the Treasury could not spare it; and, secondly, because there was no pressing occasion for the measure. The tax was paid by foreign vessels coming to the port of London, and its repeal would be injurious to the ship-owners.

Mr. *Robinson* objected strongly to the principle of the Bill, and thought, that no reason for forcing it on at the present late period of the Session had been established.

Mr. *Matthias Attwood* moved, as an amendment, to leave out all the words after the word, "that" in the original Motion, for the purpose of inserting words to the effect "that in all questions of the expenditure of additional payments out of the Exchequer, especial regard should be paid to the interests of those who suffer the greatest pressure of the public burthens."

Mr. George F. Young supported the amendment.

The House divided—for the Amendment 6; against it 46: Majority 40.

Bill read a third time and passed.

HOUSE OF LORDS,

Thursday, August 15, 1833.

MINUTES.] Bills. Read a third time:—Separatists' Affirmation; Woolwich Lands; Infirmaries (Ireland).—Read a second time:—Inclosure Award Titles.

Petitions presented. By the Marquess of BUTE, from several Places, for Poor Laws to Ireland.—By Lord TEYNHAM, from Swinford, in favour of the Grand Juries (Ireland) Bill; from Grange-Moor-Toome, for the Amendment of the Criminal Law.

GRAND JURIES (IRELAND).] Viscount Melbourne, moved the Second Reading of the Grand Juries' (Ireland) Bill.

The Earl of *Wicklow* admitted the necessity of some alteration in the law, but contended that great exaggeration had taken place with respect to the evils of the existing system. He regretted that, at so late a period of the Session, so important a Bill should be persevered in, especially as the measure was opposed to the general wish of the Irish Magistracy; they doubting that it would work well; although, he confessed, that in that doubt he did not coincide. He was apprehensive, however that though the principles of the measure were good, they had not been sufficiently matured. He was prepared to state several objections to the clauses, which he hoped would be amended in the Committee.

The Marquess of *Westmeath*, although he thought that there were some parts of the Bill which would require Amendment, was of opinion that there were many good features in the measure, and that it ought to be persevered in. As had been candidly admitted by the supporters of the Bill in the other House, experience would suggest the inconveniences which it would be necessary to remedy.

Lord *Plunkett*, while he coincided with the noble Earl that the evils of the Grand Jury system had been greatly exaggerated, yet maintained that some measure like the present was necessary to remedy those which really existed.

Bill read a second time.

TITHE MODUSSES.] The Bishop of *Chichester* rose to call the attention of their Lordships to a statement made elsewhere, that a large number of actions for tithes had been brought by clergymen, in anticipation of the limitation set to their claims by Lord Tenterden's Act. He had reason to believe that several of the statements made on this subject were much exaggerated. No such actions had fallen under his own personal knowledge. He had lately gone through a great part of his diocess, and he had not heard of a single instance in which such an action was brought; at the same time, he thought it very natural, when the period of limitation was approaching, and the time after which such actions could not be brought was close at hand, that those clergymen who believed their rights withheld from them should adopt this mode of preventing their claims from being precluded. As to the rumour which had prevailed that these actions were brought at the recommendation of a meeting of Bishops, he took this opportunity of contradicting it. Since he had the honour of being on the Bench, he had attended every meeting of the Bishops which had taken place, and he had never at any such meeting heard any allusion to the subject. In fact, he had never attended any meeting at which all that passed might not have been proclaimed to the world.

The Bishop of *London* trusted their Lordships would excuse him if he added a few words to what had fallen from his right reverend brother. He thought there was great reason to complain of the clamour which had been raised against the clergy on this occasion. He certainly was surprised at the number of suits which were said to have been brought, amounting to many thousands; but it probably might be accounted for, if correct, that it was necessary in some parishes, in order to avoid technical objections, to raise suits against every tithe payer. It was owing to the interference of the Legislature that this had taken place. A Bill had been brought in to do away with the principle of *nullum tempus occurrit ecclesiæ*, the consequence of which was, that if a *modus* were set and proved for sixty years, the clergyman could not traverse it beyond that time, and was not allowed to impeach its validity. It was contended that it would be exceedingly unfair if such a provision were brought into operation immediately on the passing of the Act, and that a certain and more distant period ought to be fixed for that purpose. This was agreed to; and thus, in consequence of this Act of the Legislature, it was that the clergy had been all but driven into bringing these actions for establishing their own rights, or, in many instances, those of their successors or patrons. He thought it hard, therefore, that there should be such a clamour because so many actions had been brought. Had there been only fifty or sixty actions, the House would have heard nothing about it, and yet the principle was precisely the same whether few or many. As to the other and most important point referred to by the right reverend Prelate, the rumour that the clergy had been recommended to adopt this course at a meeting of the Bishops, he had no hesitation in saying it was totally groundless. Nay, he would go further, and say, the subject had never even been introduced at any such meeting. There had not been a meeting of the Bishops since Lord Tenterden's Bill, at which he had not been present. They met and discussed that measure with good faith, and agreed not to oppose the Bill further than seeking an extension of time beyond that fixed by that noble and lamented Lord. Since then the subject had not been stirred. Whether individual Bishops had recommended any clergymen in their dioceses to commence these actions, he could not presume to say; but he did not hesitate to say, that if any clergyman had applied to him for advice in a case where the rights of the Church had lain dormant, where a *modus* had been set up, and the tithes foregone for a time on account of poverty or other temporary circumstances—in a case, for instance, where there was a very large parish, and where the clergyman had a very inadequate income—in such cases, he should have felt it his duty to advise the applicant not to suffer the opportunity granted by the Act to pass away. No doubt the majority of these actions arose from a desire to maintain the interests of the Church, or at the recommendation of patrons, for the purpose of preserving the rights and interests vested in them.

Ministerial Plan for the Abolition of Slavery.] The House resolved itself into a Committee upon the Abolition of Slavery Bill.

On the 33rd clause being read,

The Duke of *Wellington* said, that the different value of slaves and of land in the different islands was so great, that the marketable value of the slaves in each island would not be an accurate criterion for apportioning the losses of the planters. He objected, therefore, to the principle of the mode proposed by the Bill for determining the compensation to be given to the planters, and to the machinery to be employed to make the distribution of that sum. He objected to the compensation being made according to the value of the slaves, and proposed, that it should be merely according to their number, without any reference to their value. He objected, also, to the Commission proposed to distribute the money, and proposed that the sum, when it was determined by the register of the slaves what was due to each colony, should be handed over to the colonial authorities, to be apportioned according to the laws of the colonies. He would propose, as an Amendment, to leave out all the clauses from 33 up to 40, to retain 41 and 42, and leave out 43 and 45; and, instead of 45, he would insert two clauses. His Grace, accordingly, read two clauses, to the following purport:—" Be it enacted, that the number of slaves in each of the nineteen colonies, which were then enumerated, shall be ascertained according to the number of slaves registered under the 59th Geo. 3rd.; and that the number of slaves being ascertained from the register, the said sum of twenty millions shall be divided into nineteen different shares; and when it has been ascertained what is the proportionate number of slaves in each colony, and what is the proportional share of the twenty millions for each colony—that share shall be assigned to each colony in the books of the Bank of England, to be paid to each colony, or a colony order." There would then follow another clause, providing that the share of the twenty millions which went to each colony should be left to be disposed of by the local assemblies, according to the number of slaves possessed by each owner, and according to the laws in force in the colony. The noble Duke concluded by stating that he mentioned to their Lordships the plan he proposed, and he should then only move that the 33rd clause be omitted.

The Earl of *Ripon* said, if of the 800,000 slaves there was no difference in their value, the plan of his noble friend would be very simple and easy; but as there was a great difference in the value of the slaves, to adopt that plan would be a great injustice. There was, for example, a great difference in the value of slaves in Jamaica and in Demerara; and he could see no reason why the actual value of the slave in possession should not be the criterion for determining the indemnity to the planter. To say that the indemnity to the planters in Demerara should be settled by the value of a slave in Jamaica would be manifestly unjust. He would take the case of the Bahamas, where the average value of a slave was about 18*l.*, while, in Demerara, the average value of a slave was 80*l.*; and if, according to the plan of his noble friend, the planter in the Bahamas should get as much for his slave as the planter in Demerara, he should say they would commit a great injustice. Moreover, he was convinced that the plan of his noble friend would create confusion, and lead to many lawsuits, and in practice give rise to many delays.

Lord *Wynford* supported the Amendment. It was far more simple and equitable than the plan proposed in the Bill. In particular, he approved of allowing the Local Courts to settle disputed or doubtful points, which, he considered a great deal better than the proposed scheme of a commission.

The *Lord Chancellor* said, there were two points at issue; the first was as to the principle on which the distribution was to be made, and the second was as to the machinery by which the distribution, on whatever principle made, was to be carried into effect. The Bill went upon the plan of proposing, that as there was a difference in the value of the slaves, the compensation should not only be according to their numbers, but according to their value; the noble Duke's plan—and this was the difference between the two—went upon the principle of granting the compensation according to the numerical results of the last census, without any reference to the value of the slaves. He had before stated the grounds of the preference he gave to the plan proposed by the Bill. It should be remembered that the money was given as an indemnity for something taken away; and surely it ought to be in proportion to the value of the thing taken away. It seemed as if the suggestion came from Jamaica; for if it were carried into effect, half the compensation would go to that island. He would suppose, that they took away according to the value of the slaves 2,000,000*l.* from Demerara, and 3,000,000*l.* from Jamaica; according to the Bill, the people of Demerara would get 2,000,000*l.*, and Jamaica 3,000,000*l.*; but, according to the noble Duke's plan, Demerara would get only 1,000,000*l.*, and Jamaica 4,000,000*l.* It might happen also that the land, as he believed was the case, was more valuable where the slaves were most valuable, than in the colony where the slaves were less valuable; and in that case there would arise a twofold claim for an indemnity, separate from the mere number of slaves. He, therefore, should oppose the principle of the noble Duke's plan. As to the machinery for carrying the plan into effect, he preferred the Commission by far to the Local tribunals, which would only give rise to endless confusion and delay. The Commission was certainly not so long known to the law as those other Courts, but it was not unknown to the law, and certainly the Commission was much better than the Court of Chancery, even of England, and infinitely better than the Courts of Chancery of the colonies.

Viscount *St. Vincent* thought, the ages of the slaves were overlooked in this estimation. If it were true, as he believed it was, that the number of the aged and of the very young was comparatively small in Demerara, and comparatively large in Jamaica, that might account for the difference in the average value. He believed, that the proportion of old and young to the middle age, was in Jamaica, as compared to other colonies, as seven to three. It was taking a very partial view not to consider this circumstance. If the estimation of the average value of the slave referred only to those which were fit for labour; and if allowance were made for these circumstances, he believed that there would be little or no difference in the value of slaves in Jamaica, and the other colonies. Justice required that this should be considered, otherwise it would turn out that the colony which took most care of the worn-out slaves, which provided for them, and also took care of the offspring of slaves, would be worse treated than the colonies where these duties were comparatively neglected.

Lord *Ellenborough* also supported the Amendment, considering Local Courts the only proper medium for distributing the money. If they were not fit for this, they were not fit for anything, and ought to be revised. They alone had the documents, papers, and local knowledge, which were essential to a just and impartial distribution of the money. He would ask whether, in this distribution, aged, infirm, or very young slaves, were to be considered able-bodied persons? And he would also wish to know what the meaning was of the double rule of distribution laid down, there being one for average distribution to each colony, and another rule for sub-distribution?

The Earl of *Ripon* said, that it must be obvious to the noble Baron, in consideration that it would be impossible to pursue the same rule in the internal distribution of the money as in distribution of the compensation to each colony, that the fairest general rule would be that adopted by Government, which was to take the average value of slaves for a given period; but, in the sub-distribution, it would be necessary to adopt a different rule; for instance, some proprietors had healthy and effective slaves, while the negroes belonging to another proprietor might be unhealthy, aged, infirm, or otherwise ineffective.

Amendment withdrawn, and clause agreed to.

On reading Clause 61, extending to the colonies the provisions of the 52nd George 3rd, relative to religious Worship and Assemblies, and giving to the Special Justices the same power in the colonies as Justices enjoy under that Act,

The Duke of *Wellington* protested against the clause, as an improper interference with the internal legislation of the colonies. He said, it was called a clause of toleration, but, in his opinion, it was one of intolerance, and eminently calculated to set the colonists, and especially the colonial Legislatures, at variance with this country. He therefore recommended their Lordships to strike out the clause.

Their Lordships divided on the clause—Contents 31; Not Contents 15:—Majority 16.

The remainder of the Clauses were agreed to.

The House resumed; and the Bill was reported.

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HOUSE OF COMMONS,
Thursday, August 15, 1833.

Minutes.] Papers ordered. On the Motion of Lord Althorp, the Number of Persons in Prison under Prosecution of the Commissioners of Stamps for selling Unstamped Papers.—On the Motion of Mr. Edward Ruthven, Sir William Gossett's Letter to Sir John Harvey, dated May 31st, 1833.—On the Motion of Mr. O'Reilly, the Number of Bishops Leases which have Expired in the several Dioceses of Ireland, &c.—On the Motion of Mr. Robert Wallace, the present Establishment of the Post Office in London, Edinburgh, and Dublin.—On the Motion of Mr. Wilks, the Number of all Justices of the Peace appointed under Commissions of the Peace, from January, 1831, to the latest day: also the Number of Brewers, &c., Licensed under the Act "To permit the Sale of Beer by Retail."

Bills. Read a first time:—Beer Licence, (England); Infirmaries (Ireland).—Read a second time:—Metropolitan Police.—Read a third time:—Customs' Acts' Repeal; Land Revenues (Scotland); Foreign Enlistment Act Repeal; Spirits, Wine, and Beer Licenses (Ireland).

Petitions presented. By Mr. R. Wallace, from Paisley, for a general Revision of the Laws of Scotland.—By Mr. Murray, Mr. Ewing, and Mr. R. Wallace, from several Places, for Alterations in the Registry of Vessels Bill.—By Mr. Ewing, from a Number of Places, against the Bankrupts (Scotland) Bill.—By the Earl of Ormelie, from the Farmers of Perthshire, for the Right of Shooting over their own Lands; from Airlie and Dunkeld, for an Alteration of the Laws of Church Patronage in Scotland; from Dunkeld, in favour of the Lord's Day Observance Bill; from the Operatives of Harwich, against the Factories' Regulation Bill.—By Mr. Ewing, from the Chamber of Commerce and Manufactures of Glasgow, for preventing Arrestment of Wages payable to Workmen: from the Directors of the Town Hospital, Glasgow, for Poor Laws to Ireland; and from the Mechanics' Institute, for National Encouragement to the Diffusion of Scientific and Mechanical Knowledge among the Working Classes.—By Mr. James Talbot, from Athlone, against certain Military Regulations in force in that Borough.—By Mr. Blamire, from Greystoke, for the Abolition of Tithes; and from Dalston, for Suspending all Suits instituted since January last for the Recovery of Tithes till the Tithe Commutation Bill shall have passed into a Law.—By Sir Francis Burdett, and Mr. Hume, from Persons Confined in the King's Bench Prison and in Warwick Gaol, for Debt, in favour of the Imprisonment for Debt Bill; from the Aberdeen Political Union, for Vote by Ballot.

Petitions—Breach of Privilege.] Mr. *Hume* presented a Petition, signed by 1,400 persons, most of whom were members of the Political Union at Aberdeen. The petitioners, after stating the abuses that existed under the old system, and in unreformed Parliaments, went on to express their opinion that the Reformed Parliament had not deserved the confidence of the people, by its tergiversation on the subject of the Malt-tax, and praying, therefore, that the House would take measures for granting Universal Suffrage, Vote by Ballot, and Annual Parliaments.

Lord *Althorp* said, that he had never before originated an objection to a petition so as to prevent its reception by that House, and he did so on the present occasion most unwillingly; but, when a petition contained words so strong as were to be found in this petition, as for instance—"That the House had shown itself imbecile by its tergiversation on the subject of the Malt-tax,"—it was impossible to let the matter pass without some observation. That certainly was not a Parliamentary phrase; but it was intelligible enough, and he thought it an insult to that House.

Mr. *Cobbett* must say, that he differed from the noble Lord. He saw nothing offensive in the phrase. Change was weakness, and weakness imbecility.

Lord *Althorp* should like to ask the hon. Member whether, if he were accused of imbecility and tergiversation, he should not think himself insulted?

Mr. *Hume* was likewise of opinion that it was a mark of weakness for the House to change its opinion on the Malt-tax. Certainly, if he had had the dictation of the petition, he should not have put those words into it, but should have expressed the same meaning in other words less offensive.

The *Speaker* thought it his duty to call the attention of the House to another part of the petition, which had not yet been the subject of observation. In his opinion, the Chair would be very lax in the performance of its duty if it did not direct the attention of the House to passages like this:—"Reviewing the retrograde movements of all the machinery of the State during the past half century, and the consequent corruption in the most valuable of our institutions, during which period the seats of your honourable House, with one or two exceptions, have ceased to be occupied by persons identified in feeling or interest with the people, and whose voices have never been heard but in responding to the propositions of the Treasury Bench, and who, instead of representing the interests of the people, have represented only their own coffers." The petitioners, after drawing this, which they conceived to be a picture of that House, went on to declare that it had been, for the reasons they had stated, the cause of wars and taxes. This was an imputation of motive which, from one hon. Member to another, would be disorderly, and certainly was so from a body of petitioners to that House. It was not only a gross insult, but a most groundless and untrue, and scandalous imputation.

Mr. *Hume* was not sure that he correctly understood the Speaker. He did not think that these expressions applied to this Parliament. The petitioners spoke historically of past Parliaments. If he had thought there was anything that applied to this House, and was improperly worded, he would not have brought up the petition; but, looking at its statements as historically given, he had thought there was nothing objectionable in them. If, however, it was disorderly, he should only say, that he was sorry for having presented it, and should withdraw it.

The *Speaker* did not see how the hon. Member could mistake the matter. The petition was not a historical petition, but contained a prayer against existing grievances, and stated, by way of preface, what was the character of the House of Commons,—that they had not done their duty; and inferred from thence, that the petitioners ought not to be satisfied with the present House of Commons.

At Mr. Hume's desire, the petition was read by the Clerk. In addition to the words already cited, it contained grossly offensive expressions regarding the King, and described the Ministers as the tools of an oligarchy, and the corrupt state of the preceding Houses of Commons as having been the causes of war, debt, and taxes.

Colonel *Hay* thought that this petition was most disrespectful; and as he had been one who had supported the Ministers on the question of the Malt-tax, he thought he had a right as an individual to complain of it. He did so, likewise, because he knew the country, and the sort of men the petition emanated from. No wonder that such petitions should be sent up, when it was recollected, that such letters as that he was about to read were sent down to the men drawing them up. The hon. and gallant Member then read the following letter:—

> Bryanstone-square, Aug. 3.
>
> Sir,—I shall have much pleasure in presenting the petition intrusted to my charge, and I shall also have pleasure in supporting its prayer. But the petitioners may depend on it, that this Parliament, if I judge by their proceedings heretofore, will do little to meet the just expectations of the people.
>
> There appears, on the part of the Ministers, a determination to do as little as they can in the way of reform; and the Whigs and Tories seem, with that view, to act a very appropriate part.
>
> The one party, to keep some semblance of reforming the institutions, make some propositions, as in the Bill for Church Reform—and the Tories partly terrify them, and partly resist everything that is worth having.
>
> The whole, in fact, is humbug and mockery, and will so continue until the people show that they are in earnest, and are determined to have Reform.

That letter, extraordinary as it might appear to the House, was signed "Joseph Hume," and was directed to the Secretary of the Political Union at Aberdeen.

Mr. *Hume* avowed writing that letter: he had no copy of it, but he believed that every word of it was his writing. It seemed to him to be of his inditing. He had given an opinion which he still entertained, and he could amplify upon it.

Petition withdrawn.

IMPRESSMENT.] Mr. *Buckingham* rose to move the Resolution of which he had given notice:—"That the forcible Impressment of seamen for his Majesty's Navy is unjust, cruel, inefficient, and unnecessary: and that it is the duty of this House to avail itself of the present period of profound peace, to provide some means of manning the ships of his Majesty in time of war, without a violation of the liberties of any class of his Majesty's subjects." He asked the indulgence of the House while he stated to them, as briefly as the nature of so important a subject would admit, the reasons which induced him to entertain the views embodied in the Resolution he had just read, and which he should submit to the sense of the House. He conceived that, among all the various subjects that had been brought before the Legislature during the first Session of the first Reformed Parliament of Great Britain, there was not one that had a juster claim upon their early and serious attention, than the Impressment of British seamen—this blot upon the escutcheon of our country's glory, which every true patriot must be anxious to see speedily wiped away. Wherever the name of England was known, it was invariably associated with maritime greatness and naval superiority to every other nation on the globe. It was, therefore, of the utmost national importance that, whatever might tend to tarnish her fame by mingling with these proud associations the recollection of the mode by which our seamen were procured for the fleets in which they served—and by which our victories were won—should be effectively removed: and although no time could be inopportune for the accomplishment of ends, noble and just in themselves, yet the present period of profound peace might, he thought, be regarded as the very fittest for the consideration of a subject which could not be so safely entered upon during either an actual or a prospective war, as now, when a universal calm prevailed, and when it was, therefore, more easy to investigate the whole of this great question, than when the breeze of battle should again lead hostile fleets to meet in combat, or the storm of actual conflict should set the elements of war in active and destructive motion. In the course of this inquiry, he believed that he should be able to prove, that the practice of forcibly impressing seamen for the naval service of his Majesty was unjust, illegal, cruel, inefficient, and wholly unnecessary; and though either of these grounds taken separately and by itself, would be insufficient to justify the call for its cessation; yet if it could be proved to deserve any one of the many epithets by which he ventured to characterize it, he could not hesitate to believe, that the demand for its abolition would be irresistible, and such as no Government ought to be either disposed or able to withstand. The origin of Impressment went back to those early times in which the despotic Sovereign, having absolute command over the lives and properties of all his subjects, was entitled, by the common law of allegiance, to command the services of his Barons and their vassals, whenever he chose to summon them to the field. Impressment, however, was then general, and not peculiar to any one class—soldiers and seamen—artizans and labourers—leaders and followers—officers and men—arms and ammunition—horses and waggons—provisions and clothing; all were at the King's command, as they still continued to be in countries steeped in barbarism where the monarch is the master, and every subject is his slave. But, as civilization and freedom had advanced in all countries, this demand of the monarch had been gradually confined within narrower limits; and in England, it had long ceased to be applicable to any other class than seamen—who alone were now subject to its despotic grasp. The injustice of Impressment, therefore, being continued to be applied to any one class of his Majesty's subjects only, long after it had ceased to be exercised towards any other class whatever, must be admitted, upon the mere enunciation of the fact, even were all classes of equal value in the State, and all entitled to the same exact amount of indulgence. But a moment's reflection must convince every one, that if the perilous nature of their occupation were to be considered, and if the amount of the sacrifices of home and comfort which they make were to be regarded as fair claims to indulgence, then were seamen, taken as a class, entitled to a preference over many others, in the amount of favour to be shown them; and on these grounds it was, that they found such favour in the general esteem; for let them be seen in any quarter of the world, whether on their own native element or on the shore—whether in the seaport or the inland town—they were admitted by universal feeling and consent to a larger share of the sympathy and kindness of their fellow-subjects than any other class that could be named. At the hands of the people they received their just due: it was only at the hands of their monarch, in whose name and by whose command they were dragged off to the fleet, that they received more injustice and less protection than their countrymen at large. That this opinion was neither new nor singular, he would show, from the following testimony of a very celebrated writer of our own country, which he would now read to the House. Sir Matthew Decker, who appears to have been one of the first advocates for the Freedom of Commerce, in his "Essay on the causes and decline of the Foreign Trade," Edinburgh, 1756, speaks in the following terms of the tyranny of Impressment, when pointing it out as highly detrimental to our maritime interests:—"The British sailor being forced by Customs and Excise to live dear, must have dear wages, which excludes him from employment whenever foreigners can be legally had, to the great detriment of our sailors, and prevents their increase. All this is not only destructible to our riches, but also to our security; it being difficult in time of war to man our navy, (not improperly called our floating castles,) and occasions that hard custom of pressing, which puts a free-born British sailor on the footing of a Turkish slave. The Grand Seignor cannot do a more absolute act than to order a man to be dragged away from his family, and against his will run his head before the mouth of a cannon; and, if such acts should be frequent, in Turkey, upon any one set of useful men, would it not drive them away to other countries, and thin their numbers yearly? And would not the remaining few, double or treble their wages? which is the case of our sailors in time of war, to the great detriment of our trade and manufactures." There was no Englishman having a heart that could feel for another, who would not cordially agree with Sir Matthew Decker, that it was most unjust, thus to put the freeborn British seaman upon a level with the Turkish slave. But there was another authority, which might be quoted with equal advantage to show, that if there were any one class of his Majesty's subjects more positively entitled to the national regard than another, it was this very class which was thus so unjustly singled out for persecution. Sir F. Brewster, in his Preface to "The Essays on Trade," observes—"I have often thought there is no part of the nation deserves so much encouragement as those employed at sea. and yet there is none have less; if they were thoroughly considered, perhaps it would form the first care of Parliament, for that our seamen are our defence and treasure; and in this we have the advantage of kingdoms in a continent. There, land armies are a charge and burthen to the country they defend, but our sea armies may be useful to enrich the nation, as they are to secure it." The care of Parliament, here so wisely recommended, had not been altogether withheld from the subject:—but it was indeed a long time since. Nor had the royal consideration been wholly denied to this important subject: though it seemed to have evaporated in mere professions only. But it might be interesting to the House to know, that on the opening of Parliament by George 2nd, on the 27th of January, 1728, now more than a century ago, the attention of the Legislature was called to this subject in the following terms:—"I think myself obliged to recommend to you a consideration of the greatest importance, and should look upon it as a great happiness, if at the beginning of my reign, I could see the foundation laid of so great and necessary a work, as the increase and encouragement of our seamen in general, that they may be invited rather than compelled by force and violence to enter the service of their country, as often as occasion will require it,—a consideration worthy of the representatives of a people great and flourishing in trade and navigation." Surely, then, in the reign of William 4th, the first naval monarch who had swayed the sceptre of Britain for a long period past, whose early life had been spent among his brother seamen in active service on the seas—who knew their feelings, for he had lived and mingled among them—who must appreciate their worth, for he had witnessed it in war and in peace—in the display of heroic intrepidity during the battle and the storm—in the exercise of the most unbounded generosity to conquered enemies upon the ocean, and to cherished friends upon the shore—and in that crowning virtue of patience and fortitude in times of trouble and distress, which proved, that the highest degree of manly courage is compatible with the gentlest exercise of the domestic virtues, and that the boldest braving of danger is consistent with the meekest reverence and resignation. But he contended that impressment was also as illegal as it was unjust. Would that the two terms were synonymous; and that whatever could be proved to be unjust, should be admitted to be on that ground illegal also! But we were yet far removed from that equitable state of things. In the present case, however, the illegality could be clearly shown. There was no statute on our books, which authorized Impressment of any class or in any degree. Its sole apology was to be found in what is called the exercise of the king's prerogative; or, in other words, the remains of the usage of despotic, barbarous, and feudal times, in which, as he had before observed the monarch was the only master, and his subjects were his vassals and his slaves. By the 16th of Charles the 1st, chapter 28, it was declared to be unlawful to impress men for the land services, which was formerly the practice, and which this statute was passed expressly to abolish; so that, as far as statute law was concerned, there was analogy and precedent for a guide; and it surely never could be borne, that a despotic and a profligate monarch like Charles 1st should be cited as passing an Act for the exemption of his soldiers from impressment for the war, and that the Ministers of the first reforming sovereign—the first sailor king—William 4th—should withhold from their honoured master the gratification of giving his royal assent to an Act for abolishing at once, and for ever, the forcible impressment of seamen for the fleet? Some of the greatest lawyers of England had, from the judicial bench, declared against the practice. Lord Camden challenged the whole of the profession, of which he was so great an ornament, to prove impressment to be legal. Lord Mansfield admitted that it had only usage to be urged in its defence, and juries had frequently given their sanction, by verdicts of justifiable homicide, to resistance to the death, of so gross an outrage on the personal liberty of the subject as that of tearing him away by force, to be exposed to those dangers which none should be called upon to brave but by their own free-will and consent. The cruelty of impressment was unhappily as easy of proof as its injustice and its illegality. And the sense of this was as strong, nearly two centuries ago, as it was now. The proofs of the first, however, should be given first: and those of a more recent date might appropriately follow: It was well known, that persons found abroad after dark, although by no means subject to the operation of impress, were taken and shipped off before they could make their cases known, and it had always been the case as he was prepared to prove by several extracts from the Diary of Mr. Samuel Pepys, Secretary to the Admiralty, in Charles the Second's time. The hon. Member accordingly read several extracts from that work, to show, that in his time, men were so pressed. The horrors of impressment, continued the hon. Member, were thus felt even by a Secretary of the Admiralty, in a comparatively remote and, undoubtedly, a heartless and profligate period of our history. It was likely always to have been thought as ill of ever since. But not to go through the tedious stages of the intermediate period, let the following testimony from a British naval officer, now exerting his professional knowledge and powerful talents in the columns of the "Naval and Military Gazette," to wipe away this stain from his profession, and from whose valuable assistance many of the most important facts connected with the elucidation of this subject had been obtained—let his testimony, which he would here cite, as that of an eye-witness of the practice in his own career, show that it had not lessened in its horrors, though nearly two centuries of time had rolled by. He said, "Dragged by a gang of armed ruffians from his hiding place, and probably maimed in his attempts at resistance to this daring outrage on his liberty, he is manacled, and thrown on board a Tender, to herd with the lowest and most abandoned of mankind. Although perhaps torn from the arms of an afflicted or even dying wife or relative, his misery is made the sport of unfeeling men. Compelled to serve for an indefinite time (for his life if the war should last so long) at a third or fourth part of the wages which his labour was worth at the market price, he is harshly treated, and severely punished for trifling faults; particularly if, under the impression of bitter feelings, he shows, or is supposed to show, an obstinate or sulky disposition. Watched with a jealous eye, he is kept a close prisoner on board, never allowed the relaxation of liberty on shore, much less a sight of distant friends; and should a sense of his wrongs induce him to take an opportunity to desert a service, into which he was dragged by force, and detained against his will, he actually incurs the penalty of the punishment of death." There could be no necessity to add to this picture of the cruelty of impressment,—though, if there were, nothing would be more easy than to show it in all its horrors in the conduct of the press-gangs which, on various occasions, during the last war, exercised their power, in emptying the streets of Portsmouth, for the equipment of ships fitting out at Spithead and Hamoaze—in dragging on board the Tender, stationed off the Tower, whoever might have the misfortune to be laid hold of, after sun-set, by the ruffians that scoured every street from Cornhill to the Minories; and left no lane or alley unvisited in Rotherhithe, Shadwell, Limehouse, or Blackwall—carrying off men of respectability, who had never seen the sea, or been on ship-board in their lives, hurrying them to the tender in the dead of night, and conveying them, on the following morning, to the guard-ship at the Nore; perchance they were transferred to fleets or squadrons waiting in the Downs for men, and thence transported to the East Indies and the West—to the African and American coasts

—there to perish, by war or by disease, unless their previous sufferings till mortification of mind or body happily shortened their career; but, in either case, leaving behind them widows, orphans, kindred, and friends, who never knew their fate, and who could only indulge some vague hope that they had not been robbed, and murdered for concealment, but that they had been impressed, and might again return—though thousands pined for that return in vain; and all that was ever known was this: that the press-gangs were abroad—that at that period the husband or the father—the brother or the son—the hopes of many infants and the prop of some declining age—had suddenly disappeared, and never had been heard of more." These were the daily and the nightly scenes at home; but abroad they were even more terrific still. In the insolence of power possessed upon the seas, nothing was more common, than, as a punishment for the slightest inattention shown by any particular vessel in a convoy or a fleet, to have the press-gang sent on board to inflict a penalty on the commander, by forcibly seizing some of his most valuable men, and impressing them into the ship of war, compelling the commander of the merchant vessel, though thus distressed by the loss of his ablest hands, to pay up the last farthing of wages due to the seamen thus taken from him, and to see his best men trepanned and kidnapped into slavery, himself injured, mortified, and perhaps abused, and at the same time obliged to bear it all in silence, or even to affect, if possible, a degree of resignation or respect, from the fear of exciting still further vengeance, and being left in the wide ocean without the means of safety or defence. In the harbours abroad, also, nothing was more common than a sudden and unexpectedvisit by night of the press-gang from some ship of war at anchor in the port, whose officers had watched during the day the various crews at work in the merchant ships lying near, so as to see where the youngest, or the healthiest, or the best men could be had, and then taking advantage of the period when excessive toil during the day-time was likely to bury in the profoundest sleep all who were aboard, including even, perhaps, the solitary individual to whom the harbour-watch of the deck might be confided, and then, stealing with muffled oars and stifled breath alongside the devoted ship, leaping sword in hand on deck, guarding the gang-ways to prevent escape, and then ransacking every cabin and every hammock, and dragging away, perhaps, the flower of the crew, who were allowed a few minutes only to gather up their clothes, and jump, half-naked, into the pinnace that would convey them to their floating dungeon, where fever and death, if not the accidents of war, were the only hopes they had of ending an existence, made wretched by tyranny and the dread and terror which it never failed to inspire and prolong. In such cases, many bold and dauntless spirits, who would have faced death in any form, and have gloried in dying for their country, had they been only treated as free men, had leaped into the sea a thousand miles from land and perished in the ocean, and others had sunk silently beneath the bow, or glided along on the cable while at anchor, and in escaping the horrors of the press-gang had fallen a prey to the sharks before they could reach the shore. Who could wonder, after this, that the very name of "a man of war" should strike terror to the seaman's ear? Who could be astonished that there was a reluctance to enter a service characterized by such atrocities as these? But let it be seen how this operated, as cause and effect, to keep the service infamous by the very means to which it had been thought necessary to have recourse to supply the deficiency occasioned by the general reluctance to enter it as volunteers. To show in what a degree of terror a King's ship is held even in London, and by a lad who had been a voyage in a packet, the following case might be given as reported in *Bell's Weekly Messenger*, for June 2nd, 1822. "A young thief was brought by his father as incorrigible, before the Lord Mayor, who recommended the father to take him (with a note from him) to the captain of the Tender. The idea of the Tender, and service on board a man-of-war, appeared to strike terror into the mind of the boy, who seemed to associate it with the idea of a cat-o'nine-tails; but the father was inexorable, and took his son to the Tender, and consigned him as a volunteer to that dread refuge of the disobedient and profligate. If the naval service is held up in this view by the newspapers, after a long period of peace, how can we expect that parents will allow their children to enter it, as the associate of thieves?" Nor was this prejudice of very recent date; for as long ago as the time of Pepys, the "Bridewell birds" were counted on as a resource for the navy; and, in the time of Mr. Pitt, the same policy was pursued. Mr. Pitt, in his motion in 1795, after recapitulating the number of men to be procured by the measures he had proposed, adds:—"To the above would be added those numbers of disorderly persons, whom the Magistrates would be ordered to apprehend for that purpose." Such was the system; robberies were compounded before the Magistrates daily, if the thief would consent to be handed over to the Tender, and thousands were annually added to the service by these means—indeed it arrived to such a pitch at last, that these men, the scourings of gaols, actually came on board in draughts of forty and fifty, with a mark against their names, as sent by the civil power; and were enough to corrupt any ship's company, to say nothing of the disgrace and sorrow of the pressed seaman's relatives, to be told that such were his messmates and associates. The prison-ships were also ransacked towards the close of the war, and many foreigners were sent on board, who introduced disgusting customs; in fact, anything that could be procured in the shape of a man, was thought good enough to form part of the complement of our ships. As if this were not degradation sufficient, however, to destroy the reputation and utterly annihilate the attraction of any branch of the public service, smugglers were subsequently added; so that a ship of war, instead of being the home, as she ought to be, of a superior class of men, anxious to serve their country with honour rather than remain in inactivity at home, was converted into a receptacle of the violators of the law, where criminals of every shade and hue were to mingle in one common mass, till each contaminated the other down to the lowest degree of turpitude. So late as the 17th of August, 1832, this system had been continued, as the following extract from the newspapers of that date would show:—"A sailor, named Samuel Smith, belonging to the American ship 'Hannibal,' in the London Docks, was on Monday convicted, at the Thames Police Office, of smuggling 8lbs. of tobacco, which was found concealed in his hat and stockings, by Walden, a Custom House officer; being a subject of his Majesty, he was adjudged to serve him five years in the navy. The Magistrate, however, believing that he was not a regular smuggler, but had brought the tobacco for his own use, delayed the issuing of the warrant till next day, in hopes that the Board of Customs would not press for his servitude; but it having been discovered that the law was imperative, the Magistrates on Tuesday signed the warrant; Mr. Broderip remarking that the punishment was a monstrous heavy one; and yesterday the sailor was conveyed in one of the police galleys to a man-of-war, to serve the King five years, as a smuggler." That statement was repeated in *The Times*, the *Herald*, and the *Globe*, and doubtless it went the round of the other town and country papers; thus it was generally published throughout the kingdom, that a man-of-war was still a place of expiation for crime, and that the Magistrate considered it a "monstrous heavy punishment" for a man, by trade a sailor, to serve on board of one for five years. Who could wonder that, under such a system as this, severity of discipline was necessary to maintain anything like order or decorum? Had the men who formed the crews of ships of war been brought together by honourable means, they might have been kept together by honourable treatment. But their only bond of union being crime, the only security for obedience was punishment; and terror, which had been so justly characterized as the sole controlling power over the minds of slaves, was here the only agent that could ever be employed to ensure submission. On this subject let the following testimony of a naval officer be heard. He said:—"A great deal has been urged against the practice of flogging in the King's service, and it would be well if any other mode of punishment could be substituted; but the experience of nearly thirty years obliges me to say, that, with a crew composed of pressed men and convicts, the discipline of a man-of-war cannot be maintained without it. Philanthropists, who are labouring, no doubt with good intentions, would, therefore, do well, instead of agitating a subject which they cannot understand, and the necessity for which they would speedily acknowledge if they witnessed the circumstances which called for its infliction, to lend their powerful aid for the adoption of some better system for raising men for the fleet, as the only means of accomplishing the humane purpose they have in view, without the risk of palpable injury to the service." The most striking comment on the injudiciousness of this system, to use no harsher term, was to be found in the fact, that while it had been a matter of extreme difficulty to man the regular ships of war, there never had been the slightest difficulty in manning privateers, where all the risk of wounds and death existed in an equal degree, where many other disadvantages were endured, from which the regular naval service was free; but where exemption from the horrors of impressment, and the terrors of the lash, made all the difference, and far more than balanced the account. The evidence on this subject was most complete. "It is notorious that privateers (on board of most of which men are subject to very harsh usage from brutal officers) have never been in want of hands; because, besides the excitement of that service, and the hope of prize-money, the wages were assimilated to those obtained in merchant ships, and the men engaged voluntarily for a limited time. It is the same with the Royal Marine Corps, whose pay, clothing, and maintenance, are about the rate of labourers' wages, and they have always been able to increase their numbers to any extent by enlistment. Now these latter being, when embarked, subject to the same discipline and privations as sailors, partaking the same food, and encountering the same dangers, changes of climates, &c., it is difficult to know what possible reason can be shown, why the like method of procuring men for the naval service should not be adopted instead of impressment." At the same time that privateers were thus easily manned, it was impossible to provide a proper supply of men for the navy, and, accordingly, the jails of our own country, and the prisons of foreign nations, were each had recourse to, to furnish the necessary supplies; and instances were on record, as stated by Admiral Ekins, where drafts of fifty or sixty men at a time had been made from the prisons of Lisbon, and other foreign ports, to recruit, with the criminals of other countries, the fleets of our own. In addition, however, to the deterring influence of the confinement and severity, which were alone sufficient to prevent men from entering the navy, the pay was never sufficient to stimulate men in search of the ordinary reward of their labours; and this was thus stated by an able observer:—"But the fact is, that assimilation of wages, or anything approaching thereto, has never been tendered them; and it should be generally known that during the last war, the best seamen, in King's ships, were not receiving more than the fourth-part of the monthly wages given to foreigners and cripples on board our merchantmen: and we must also recollect that for many years there was little chance of prize money to compensate for this, the sea being cleared of our enemies, and all trade carried on in neutrals, or under licenced flags." This would, of itself, be deemed sufficient to account for the backwardness of men to enter the naval service. But he would add to this, the testimony of the gallant admiral he had just named, and the reasons for that backwardness would then be complete. He said, "that the soldier's period of service was optional —the sailor's perpetual. That he has known instances of men being discharged from ship to ship, who never received a farthing of wages for fifteen years, and eight or ten years was by no means uncommon." The next step to which he wished to draw the attention of the House, in this inquiry, after having proved that impressment was unjust, illegal, and cruel, would be to show that it was inefficient also; that it did not accomplish the object it was established to effect, and that, on this ground alone, it was unworthy of being continued. In doing this, he would refer to authorities of early as well as of recent date; for the more extensive the period throughout which the great truths connected with this subject had been acknowledged by competent judges, the more convincing would their united testimonies be likely to prove. In a debate which took place in Parliament, on the subject of a Registry Bill for seamen, the following passage might be found in a speech of Sir Robert Walpole:—"The hardships of an impress have been long dwelt upon, and displayed with all the power of eloquence. Nor can it be affirmed, that this method of raising seamen is either eligible or legal. I am not about to answer the objections against it, but I shall strengthen them by one more forcible, in my opinion, than all the rest; this method has been found ineffectual and insufficient for its end." He then goes on to say, that although impress had been continued as long as a man could be found, the moment protections were granted, the seamen came in thousands out of their hiding-places. There was also a remarkable letter from the celebrated Jonas Hanway, addressed to Charles Grey, Esq. in 1759, in which this was forcibly dwelt upon. But he thought it would be scarcely necessary to cite evidence upon such a subject. It was a matter plain and tangible to the most ordinary apprehension. For what was the object desired, when a fleet was to be manned? Was it not to collect together as many of the actually existing seamen as might be found in the nation for the purposes of war? Impressment could not create seamen, not previously in existence, nor could it give to landsmen the requisite qualities of seamen, and so fit them at once for their duty. All that it could possibly do, would be to gather together the seamen actually in the country, and transfer them from the shore to the sea. The effect produced by impressment was, however, exactly the reverse of what it aimed at. For, when a war broke out, and a press-gang appeared, the seamen then residing in the sea-ports, and who might easily be prevailed upon to enter for any merchant-ships or even for privateers, took instantly to flight, and scattered themselves through all the surrounding towns and villages; sometimes disguising themselves as farmers, cartmen, and ploughmen; at others, tying up their arms and legs as if wounded; some pretending to be blind, and others actually mutilating their limbs and wounding their bodies for the express and exclusive purpose of being rejected by the press-gangs if caught. If any remained behind, unable to escape with sufficient speed to avoid the alacrity of their pursuers, they were taken under shelter by humane housekeepers, who gladly afforded them a refuge, and concealed them till the storm was over, under the beds of sick persons, in the innermost recesses of chambers, in chimneys, closets, coal-cellars, and any or every where that might seem to afford them a sacred retreat from the furies by which they were hunted down. In this manner it frequently happened, that when twenty thousand available seamen existed in the sea-port towns at the breaking out of a hot press, a few hundreds were caught on the first day, and on the following morning, nineteen thousand out of the twenty would be scattered and dispersed towards every point of the compass inland, and were thus as completely lost to the service for which they were required as if an earthquake had ingulfed them all. What followed? Why this; in default of seamen, landsmen were seized; and if men could not be had, boys would be taken instead. The beggars would next be carried off, the prisons emptied: and as there were always sure to be a large number found unserviceable after such an indiscriminate sweeping of the houses, streets, and jails as this, twice the number actually required would be conveyed on board, to admit of such discharges; and after all that could be effected in this way was accomplished, it would be found to be inefficient; so that, after completing this career of desolation, by pressing all the men that could be taken from the merchant ships in the harbour, foreigners often included, his Majesty's ill-manned vessel put to sea, encountered a storm in the channel and was lost; or escaping this, sailed across the Atlantic, and before her crew was trained into anything like seamanship or discipline, met with an American frigate and was carried in triumph as an easy prize to a ship, manned, perhaps, by some of the best of those very English seamen which the terror of her own press-gangs had induced to fly to another country, in search of that freedom and justice which had been denied them in their own. This terror of the press-gang even operated to such an extent as to produce the most serious injuries to the British fisheries, one of the great sources of the supply of human food:—"At certain seasons (it was said) the ocean teems with fish; and if our sea-coast was more thickly peopled, and more means for taking them at hand when they pay their periodical visits to our shores, one thousand, nay, ten thousand times the present quantity would be secured; but, in prevention of such a desirable object, this baneful system steps in; for a lad convicted of having been seen working a fishing-boat would be a fit subject for impress, and the fear of it deters thousands from blending this with their other occupations. Here is, therefore, a source of cheap food cut off from our industrious population, which bountiful nature actually throws to their very doors. If, in the mackarel, herring, pilchard, and sprat seasons, exertions were made to take a large quantity of these fish—and there are cheap means of curing them without the use of salt, for those to whose taste that article is unpalatable, which would greatly increase the consumption—the effect of an abundant supply would be to lower the price of other articles of human food, to the same level as it maintains where these fish are on the coast; and plentifully caught; and the blessings which Providence offers, but which man, owing to the terror of impressment, can but partially accept, would be felt by a numerous class of poor people. Constantly improving as our communications now are, with roads intersecting the country in all parts, there could be no difficulty in carrying large quantities of fish, either fresh or cured, to country markets, where such a thing is now scarcely seen. And from the nursery of youngsters thus profitably employed, would spring up a numerous race of hardy seamen, anxious and willing to better their conditions, by tendering themselves to the King's or merchant's service, where a call was made for them, or bounties offered to them, as in the event of war." The amount of the loss thus sustained by the whole nation would be very difficult to calculate; but there were positive data for determining the amount of loss occasioned to the navy itself, both in men and money, by this system, as absurd as it was wicked, as inefficient as it was unjust:—"The pecuniary loss from this cause (said a writer) is much more considerable than most people imagine. Admirable Patten asserts, that he was enabled, from his official situation as one of the Lords of the Admiralty, to ascertain the fact, that the total number of men, who deserted from the service, at the beginning of the last war, namely, in the twenty-five months from May, 1803, to June, 1805, notwithstanding the great care taken to prevent it, was—Able seamen, 5,662; Ordinary seamen, 3,903; Landsmen, 2,787; Invalided, as not fit for the service, 3,017: making a total loss to the navy in this short time of 15,369 men." The instances of collective wretchedness to be found among crews thus gathered together were innumerable; but one or two would tell their tale as forcibly as a thousand. Admiral Ekins, in his "Naval Battles," relates a number of instances of the inferiority of the draughts of men, in appearance and muscular strength, as well as character, who were sent on board our ships during the last war. He asserts, "that Sir Home Popham, while fitting out his Majesty's ship 'Stirling-Castle' for the East Indies, actually weighed his crew of 600 men, and the average was only jockey weight. On stating the circumstances to the Admiralty, be had 200 of them changed for heavier men."—"Again, upon fifty convicts being sent on board his Majesty's ship 'Bellona' (74), they were called aft, and addressed by the Captain, who told them he would start fair and give them a chance, but that if any one of them was reported for punishment, he should receive double allowance, and this promise appears to have had a good effect."—"The 'Conqueror' (74) had not more than twenty effective seamen on board in 1804; and, in 1803, when the 'Donegal' and 'Belleisle' were sent out to the Mediterranean, they had not twenty men each who could take the helm. The 'Conqueror,' after the battle of Trafalgar, had only eight men on board after manning her prize who could knot a shroud."—"The system was, to split one tolerable ship's company into three, and then fill up, with all the men that could be procured from the prison and jail ships. Thus the ship's company of the 'Prince' which was a tolerably good one was, in 1809, draughted into the 'Vanguard,' 'Goliath,' and 'Jupiter,' and the remainder of the crews of these ships were completed in the manner described." What had become in the meantime of all the healthy, vigorous, smart, and able-bodied seamen, for which England had been famed in all ages? Whither had they bent their course? Under what flags were they sailing? Whose battles were they fighting? And who cheered them on by giving them reward as well as renown? Let the following testimony answer:—"The Americans, during the last war, made no secret of their endeavours to seduce our seamen. They offered such as deserted, land in their territory; carried flags with mottos, 'Sailors' Rights,' 'No Impressment,' &c.; and by constantly asserting that the war was undertaken and maintained for the freedom of mariners, no doubt made a great impression on the minds of those whom they had taken prisoners. On one occasion, the Corporation of New York gave a dinner to the crew of the United States, when she returned to that port, after the capture of the 'Macedonian.' After the toast, 'Sailors' Rights,' 'No Impressment,' had been drunk with nine times nine cheers, regulated by the boatswain's call, Alderman Vanderbelt thus addressed them :—'Remember, then, ye valiant tars, that ye have been rocked in freedom's cradle, enlisted voluntarily under your country's banners, not torn by a merciless press-gang from your wives and children, and dear connexions,' &c. By such means as these, numbers of the 'Macedonian's' crew were seduced from the prison into their service; and some of them being afterwards captured by our ships and recognized, were tried and executed for deserting to the enemy, and serving in arms against their country." Admiral Ekins says, "that Commodore Decatur declared, after taking the Macedonian, that he had not a seaman in his ship, who had not served from five to twelve years in the British navy." He added, that two of their guns were named 'Nelson' and 'Victory;' and to the former it was the exclusive privilege of men who had been bargemen of the British Admiral to be quartered!" On such facts as these it would be a waste of the time of the House to comment; let who could look back upon the history of that painful war, and not blame our own country for many of the disasters then brought upon herself? Who, above all, could fail to say, that if such a war were to be entered upon again, he would not advise a very different course to be pursued? It behoved us, then, to be wise in time, and while we yet enjoyed profound peace, to devise, arrange, and consolidate some just and honourable mode by which we could secure the exercise of British skill and British valour for the protection of British interests and the maintenance of British rights. If we were to be checked in our onward career, let it be by the hand of a fair and open enemy, and not by the hands of our own brave seamen, driven by almost justifiable desperation to fight the battles of any country in freedom, rather than be dragged to perish as slaves and criminals or their own. The expensiveness of the system of impressment was also an object worthy of consideration; and he was prepared to prove, that this was as great as its inefficiency, on which ground alone it merited reprobation and demanded correction. It was a fact well ascertained, that during the last war there was kept up an establishment for receiving ships at the different ports, and tenders for the conveyance of pressed men, which required crews to the extent of 1,500 seamen to man the different vessels employed, and that the lowest amount of expense for ships, seamen, wages, provisions, and wear and tear, was 200,000*l*. per annum. Mr. Draper, one of the North Sea pilots, when on board the Admiral's ship 'Majestic,' in Yarmouth Roads, stated, that comparing the Impress Establishment kept up at that port, with the number of men obtained by it for the navy during the early part of the war with France, it was proved that every one of the few so secured and retained as able seamen on board the fleet, cost the country, at least 600*l*. sterling! yet their discharge was procurable for 80*l*. which was thought a very high price. Nothing in the annals of mismanagement, copious as they were in illustration, could exceed the folly and the wastefulness of this. Yet this was not all, for independently of the direct cost to the nation, the indirect charge upon the various interests of the country was enormous. He would give the following as an instance:—"The reduction of wages which would take place under a better system would probably benefit our shipowners to the amount of 1,000,000*l*. annually in time of peace, and to the extent of several millions during war; and this without real injury to the sailor. The public in general, more particularly the inhabitants of the metropolis, suffer more than they are aware of from the enhanced price of coals; and when impressment is going on, the crews of the collier vessels are afraid to come up the river, and the masters are oftentimes obliged to hire protected men, at the rate of 3*l*. the job each to work them up; all this must be charged on the article to the consumer. Take one instance. The price of coals in 1770 (September) was 26*s*. per chaldron; in 1771 (owing to the press) they rose to 52*s*. per chaldron, which had the effect of levying an unnecessary tax on London and its environs of 650,000*l*. The consumption of the metropolis being now about 1,500,000 tons, a recurrence to impress would be a certain tax on the inhabitants of a million and a half at least, to pay for this indispensable necessary of life." There were yet other modes by which this system of impressment was made to bring heavy burthens on the commerce of the country. Dr. Trotter, the celebrated Physician of the Fleet, had stated, in one of his valuable works, that he had known an instance where 500*l*. had been offered by a commander and owner of a merchant vessel, to exempt his own ship's company from the visit of the press-gang; and it must be clear that the injury which such a visit would inflict, probably by disabling him from prosecuting his voyage for a long period, must have been apprehended to be greater than the 500*l.* offered for escape from it; for, in cases where such injuries took place, and where a ship was left in a foreign port, completely laden, and ready to sail but for the want of a competent crew, the most extravagant wages were paid to obtain men to prosecute the voyage, and the competition they occasioned encouraged desertion from one ship to get higher wages in another, until the scale was raised to the highest pitch in all. The following testimony, on this subject was from a naval officer speaking from his own experience on this subject — and this was his language:—"The merchant seaman's wages were trebled in all cases, and in some quadrupled even when they agreed by the month. And, in 1811, when we brought a convoy from Quebec to Spithead, in his Majesty's ship Seine, thirty guineas was given to seamen for the run (that is the voyage); and I knew a man to receive it; and this run we performed before a westerly gale in twenty-one days." Sometimes, indeed, it was the naval officer who was made to pay heavily for the performance of his duty, though acting under the most pressing urgency of orders from his superiors, and much more to be pitied than blamed. He was directed, for instance, to be ready for sea by a given day. His energies were all put forth, his stores, provisions, water, and equipments, were all complete. The arsenal furnished him all these, but he was deficient in men, which the dock-yard could not supply. The press-gang was armed—they ranged the streets with their naked cutlasses, and pistols loaded in their belts, with an officer at their head—they were unsuccessful in their search; and, in the mortification of their disappointment, or the insolence of their power, they committed some outrage, of which the law took cognizance; and if the injured parties had money enough to prosecute their suit (which might happen in one case, perhaps, out of a hundred, but not more,) the press-gang was made to pay the penalty of their excess. The following might be given as instances by name:—"In 1807, the hon. Captain Blackwood had a verdict against him of 2,888*l.* 10*s.* 6*d.* for pressing four men out of the 'Eliza' privateer, of Liverpool, having Admiralty protection: and, in 1813, Captain Mc Kenzie, of the 'Venus' frigate, was cast in 1000*l.* damages for the same." The time was now come, however, when the tardy process of the law would no longer be resorted to for redress. Nay, it was upon the brink of having arrived, at the close of the last war, when the seamen of London, as well as of Liverpool, and all the principal outports, had begun to organize committees, to resist the press-gangs by force; and the public feeling was so strongly in their favour that it was believed the whole of the resident population would assist in chasing the press-gangs from the streets. They had gone so far as to declare that they would sacrifice their lives rather than be dragged on board a man-of-war by force; and were prepared to call upon all their brother seamen, if press-warrants should again be issued, to collect together in a body, seize the first ships they could board, and sail off for America, or any other country, rather than be made captives and slaves in their own. If such was the feeling then, the House might imagine what would be the indignation now, when intelligence was so much more generally diffused, when the true principles of rational freedom were so much better understood, and when the doctrine that every man's house was his castle, was not merely a theoretic dogma, but a practical blessing which thousands would rather die than abandon, for themselves, or see outraged by the violation of the home of another. And could any man wonder at all that when the seamen were taught in popular songs—in dramatic entertainments — in public despatches—in spectacles and fêtes —that they should consider themselves a free-born race—when they were called "the nation's deliverers" — hailed as "our gallant tars"—and when the air was rent with shouting,

> The nations not so blest as thee
> Shall in their turns to tyrants fall,
> Whilst thou shalt flourish great and free,
> The dread and envy of them all.

Could they wonder that the seamen should be indignant at the mockery of such exultation, while they were dragged to those floating dungeons, boasted as our defence, as—

> Britain's best bulwarks are her wooden walls.

And when they hear the cannon pealing

forth salutes after some splendid victory—when the standard of England floats in the breeze—when the strains of martial music swell the triumph of the hour—and when every tongue gives utterance to the national anthem—

Rule Britannia, rule the subject waves,
Thy free-born seamen never shall be slaves.

Who would not honour them if they should burst their chains, demand that freedom of which they had been so unjustly deprived, and bind themselves together, in a holy league, to resist impressment to the death, and rather fill at once an honourable grave, than linger out a life of captivity in a forced and ill-requited service, subject to degrading punishments if they remain, or dishonourable death if they attempt to escape. If he had now said enough to convince the House that impressment was unjust, illegal, cruel, inefficient, expensive, and as ill-adapted to the end which it was intended to accomplish, as it was revolting to every honourable mind; all that could be necessary to add to such an array of evidence, would be to show that the most distinguished of our naval officers had been hostile to the system, had wished for its abolition, as degrading to the service, and humiliating, as well as painful to the feelings of those who had to carry it into execution; and that each and all had proposed various modes of supplying the fleet with men, every one of which was superior to the forcible impressment of which it was intended as a substitute. The first mode was the securing boys, to be procured as volunteers, from the humbler classes of life, from the families of seafaring people, and from marine schools. Amongst the most distinguished advocates for this system was the late Lord Collingwood, a thorough north country seaman himself. He writes as follows to Lord Mulgrave:—"I some time since recommended that as ships came out, they should bring over 100 boys of fourteen or sixteen years of age. Such boys soon become seamen, landsmen very rarely do, for they are confirmed in other habits. Some Irish boys came out but two years ago, and they are now the topmen in the fleet." Sir Charles Penrose, another distinguished Admiral, gave a striking anecdote of his own history, which proved the aversion which seamen had to the navy because of the long service afloat; and, at the same time, the ease with which even that aversion might be overome, when they were sought out as volunteers, as which they would freely enter, though they had deserted principally perhaps, from being originally pressed men. He said, "When I was Commodore at Gibraltar, in 1810, and short of hands to man a flotilla which I was ordered to equip, I understood there were many sailors in the regiment in garrison, and, with General Campbell's ready permission, nearly 300 prime seamen volunteered. I found they had left the navy principally from the long service afloat." Dr. Trotter, the physician to the Fleet, already mentioned, and whose experience of naval affairs was as extensive as that of any man that could be named, was strongly against the system of forced service; and, in 1819, he published a work entitled "Practical Plan for Manning the Royal Navy, and Preserving our Maritime Superiority, without Impressment.' It was addressed to Lord Exmouth, and after dwelling on the cruelty, impolicy, and inefficiency of impressment, he gave an account of the mutiny at Spithead, of which he was an eye-witness, and said that the best seamen were indignant at the contrast of the small bounty received by them, while landsmen and working people of various classes, received, under Pitt's Quota Bill, by which 10,000 men were raised, sums of 20*l*. 30*l*., and 40*l*. each. Dr. Trotter gave one instance, especially, of a tailor who had received as much as 64*l*. for entering; and was soon after draughted off from the guardship as unserviceable, and was brought before him to be invalided for incapacity. Lord Nelson, a name that was never mentioned by seamen but with a feeling almost approaching to superstitious veneration, was fully sensible of the loss sustained by the present system. And in his correspondence with Earl St. Vincent, he adverted to the evil, and suggested, or rather hinted a remedy. The following were the most remarkable parts of his communication presented, on the 13th of February, 1803, as "Remarks on Manning the Navy," to Earl St. Vincent:—"At a time when the seamen, as I have been repeatedly told, notwithstanding their good pay, and abundance of the very best provisions, manifest a reluctance to enter into the naval service, it becomes, in my humble opinion, a duty for people conversant with the manners and disposition of seamen, to turn our thoughts on the mode of inducing them to be fond and more desirous of serving in the navy, in preference to the merchant service. Their pay and provisions cannot possibly be improved from what they are at present; but I think a plan should be brought forward to register the certificate given to seamen, and a form of certificate to be general, and filled according to regulations issued by the Admiralty, under the authority of an Act of Parliament." Lord Nelson calculated the expense of raising seamen at 20*l.* per head, and said, that 42,000 deserted during the late war, the loss on which was 840,000*l.*, without taking the expense of raising more men, and these not so good as those who had been used to the King's naval service. He therefore proposed, that every seaman who had served faithfully five years in war, and could produce a certificate of good conduct, should receive two guineas annually, after eight years four guineas, exclusive of pension for wounds. "This," he added, "appeared at first view an enormous sum for the State to pay, but when it was considered, that the average life of a seaman was, from hard service, finished at forty-five years, he could not many years enjoy the annuity, and the sum saved by desertions would go far to pay it. "But," says Lord Nelson, "the great thing to guard against is desertion, for, notwithstanding all I have proposed to induce seamen to serve faithfully, the high wages of the merchant, and the seduction of the crimps, make them desert; and it is certain, that when a large outward bound convoy are assembled, they have at least 1,000 deserters concealed on board." He says, "that the ships are navigated by protected men to Portsmouth, and there receive their crews from the crimps;" and he concludes by saying, "I am very sensible, that no plan for these important purposes can be matured by any one head, much less by mine; but as these ideas flow from a pure source, and a sincere desire to benefit our King and country, I submit them, with deference, to much wiser and abler men than myself." Lord Exmouth—another brilliant name in the page of our naval history, was an enemy to impressment, and owed his splendid victories mainly to his own skill and courage, and to being always supported by the zealous spirits and stout hearts of willing volunteers. As Sir Edward Pellew, he commanded, at the commencement of the French revolution, the small frigate 'La Nymphe,' in which he fought the first single action after the declaration of war, and brought his prize, 'La Cleopatre,' into port in triumph. After this he had the command of a squadron, as Commodore on the western station at Falmouth, bearing his broad pendant in the large frigate, 'Indefatigable.' His whole crew was at that time composed entirely, officers and men, of the natives of his own county, Cornwall. Not a man was ever pressed; and so much was it an object of ambition among the seamen of the western coasts to belong to the squadron of Sir Edward Pellew, that his ships never wanted the best men in abundance, and on the books of his agent on shore names were constantly waiting for the first vacancies, while it was deemed sufficient punishment to those who were on board to threaten them with their discharge, as unworthy of the honour of serving in such a ship and with such companions. His career of service was, therefore, one continued stream of success and victory, and with such men in his squadron was equal to a fleet of double its nominal force, by the moral power and dauntless energy which every heart and every hand contributed to the contest when the moment of action came. When, therefore, in the latter period of his service, Lord Exmouth repaired to Algiers, to release from their captivity the slaves whom the tyrants of Africa had dragged from their families and their homes, he might proudly remember, that he came with pure hands to the performance of this high and holy duty, and that his triumph could not be sullied by the recollection of his ever having impressed, or torn away from his kindred or his dwelling, one single seaman to augment his force, but while he was fighting the battle of freedom, and giving liberty to the captive and the slave, he had the noble consolation of feeling that it was by the hands of free men that his efforts were sustained, and that free hearts might every where exult in a victory thus obtained. Passing from the heroes who were now no more, but who, though entombed with honour by their country, had left their fame still fresh and green in our recollection—passing from these to the living that were still left among us, who would not hear with pleasure, that the hon. and gallant Member opposite, the conqueror of Navarino, the brave Sir Edward Codrington, whose mission, too, was the liberation of the captive and the giving freedom to the slave, who would not hear with satisfaction, that he also had never impressed a seaman in his life. Eternal honour to the names of the living and the dead who could thus keep themselves free from the contamniation of such a stain! May their fame descend to posterity, not merely as that of heroes and conquerors in the fight, but as of men whose heroism was of that noble and elevated kind which could blend compassion with courage, a respect for freedom with the pride of conquest, and who, in the wreaths with which victory crowned their labours, had themselves entwined the olive branch with the laurel, by respecting the rights of peace while they pursued the glories of war. If there were yet another argument which should move them to abolish the odious system of impressment, it was this—that England stood alone in the guilt of its retention, and that no other state in the world was left to be a participator in her crime. In the navies of America, of France, of Spain, of Portugal, of Holland, and of Russia, the detestable practice of impressment was unknown. Let the following statement be listened to, and let Englishmen blush for the comparison;—"The French navy consists of forty-four sail of the line, fifty frigates, &c. She has 97,000 seamen registered as belonging thereto, 60,000 of whom are available for immediate service. The Russian navy consists of fifty-four sail of the line, thirty-five frigates, ten bombs, twenty-five fire-ships, fifty gallies, forty-five smaller vessels, and 500 gun-boats, besides 500 row-boats, making altogether 1,139 vessels, carrying 9,617 guns. They are manned by regiments, who are under the same discipline as the Imperial Guard, and each regiment is supposed to man a ship of the line, a frigate, and a smaller vessel. Of course, under this system, their supply of such men in that vast empire may be said to be inexhaustible. The United States of America have now five sail of the line afloat, and seven on the stocks, which could soon be launched, and sixteen frigates, besides smaller vessels. They employ 6,000 men (officers included), and they boast, that they possess altogether 92,000 seamen. They man their navy by enlistment for short periods, paying them the same rate of wages as they can obtain in merchants' ships. The Dutch, indeed, carry their respect for popular feeling further, perhaps, than any; for, if any captain should be unable, by the ordinary means of entry, to man his ship within a given time, it is taken to be good evidence of his deserved unpopularity, and he is dismissed the service, to give place to some more generally esteemed and honoured man." It was now time, however, for him to advert to the remedy for an evil, which no one who had heard the evidence he had adduced, could, he thought, hesitate for a moment to admit to be one demanding immediate reformation and relief. In doing this, his chief aim would be so to combine justice, simplicity, economy, and efficiency, as to make, as far as practicable, a perfect whole. It might be more easy to patch up an old system; but it would soon need a second and afterwards a third repair. Like a decayed and condemned hulk, the present system should be utterly and entirely abandoned; and a new and well-constructed system established in its place. He would then briefly consider the principles, and give an outline of the details, of the plan he had in view. The first principle of it should be to encourage the entry, education, and protection of seamen, in the fishing, coasting, and mercantile vessels of the country; so that no raw recruits, or unskilled hands, should ever get their first training in a ship of war, but be previously initiated and well seasoned to the hardships as well as duties of their enterprising profession, in those nurseries already named. The second principle of any such a system should be that of rendering the naval service as attractive as possible, and making it the interest of men to seek for employment in his Majesty's ships, rather than in any other class of vessels. The third principle should be that of progressive advancement in honour and emolument in proportion to the length or the importance of the duties performed, so as not merely to draw men originally into the service, by the attraction of adequate wages, kind treatment, and a reasonable enjoyment of liberty, but also to attach them to the service for ever afterwards, by making their interest and their duty to go hand in hand together, and inspiring them with feelings of honourable pride in a rank obtained by length and value of time devoted to the defence of their country's liberty and honour. Any plan for the supply of the navy, based on these three great principles, could scarcely fail of success. He begged, therefore, the attention of the House, while he endeavoured to submit to them the outline of such a plan, which he would now venture to sketch out, and which the Government, or the Admiralty, or a Committee of maritime officers appointed for the purpose, might subsequently fill up in detail. The first object, then, should be to secure the continual and competent manning of all the fishing, coasting, and merchant-vessels of the country, by Englishmen instead of foreigners; and to have their several classes of boys, young lads, and able men, so apportioned, as to secure a continually growing and increasing body of each, to supply the exigences of the naval service as required; for, in every ship of war, different degrees of skill and strength were required in the crew; and, therefore, some of all ages between ten and fifty were desirable; but landsmen, of whatever age, were always for a certain period a hindrance rather than benefit, as some weeks elapse before they are able to stand the deck while a ship is in motion, or before they become acquainted with the lowest duties to be performed; so that a few months' or a few years' training in a coasting or a merchant vessel, would always make a boy or man more valuable to a ship of war, than if he came fresh from the plough, or the anvil, or the loom. Objections had been sometimes urged to any interference with the manning of the merchant service, on the principle, that it is best to leave trading interests to take care of themselves—a principle undoubtedly sound when applicable to trading interests only; but, in the mercantile marine of England, there were interests of safety to valuable lives, as well as profits on property embarked, to be taken care of and secured. The safety of ships, as to their condition of sea-worthiness, was a fit and proper subject of legislative concern; and some of the valuable officers of his Majesty's navy, now on half-pay on shore, could not be more advantageously employed than as maritime surveyors at the out-ports, to see that no merchant vessel left the harbour in an unsound state as to the condition of her hull, or imperfectly equipped as it regarded her masts, sails, rigging, anchors and cables, provisions, water, &c., proportioned to the probable length of her voyage; but above all, to see that she was completely, manned with the proper number of men and boys, according to her tonnage, so that the ship might fairly encounter the perils of the sea, and the nation not be deprived of the valuable portion of its wealth embarked upon the ocean, or the valuable lives risked in its conveyance, from any deficiency in the equipment or scantiness of numbers in the crew. To effect this it would not be necessary to enact any new statute, but merely to enforce existing ones, as he would now undertake to show. By a Parliamentary Return of 1830, it appeared, that in the year ending on the 5th of January, 1830, there had actually entered inwards at the different ports of Great Britain, 19,110 sail of merchant vessels, measuring collectively, 2,184,535 tons. Now, by an Act passed in the fourth year of the reign of George 4th, chap. 25, sect. 2, it was enacted, that after the 1st of January, 1824, a certain number of apprentices should be carried by each merchant vessel, according to her tonnage, the proportions being for every vessel from 80 to 200 tons, one apprentice—from 200 to 400 tons, two—from 400 to 500 tons, three—from 500 to 700 tons, four—and from 700 tons upwards, five apprentices, at least, who should be under the age of seventeen, indentured for four years, and their indentures enrolled at the Custom House of the port at which the vessel was registered; or, to use the sea-phrase, from which she "hailed." By a subsequent Act, passed in the sixth year of the reign of George 4th, chap. 109, sect. 16, 18, and 20, it was enacted, that every merchant vessel should carry, at least, one proper seaman for every twenty tons of her burthen; that no British ship should be allowed to leave any port in the United Kingdom, or in any of the British possessions abroad, whether having a cargo or sailing in ballast, without being duly navigated and completely manned, according to the proportion of men and boys to tonnage, as specified in this and the former Act. Certain proportions of British to foreign seamen were also fixed by the last Act, and a penalty of 10*l.* fixed on every foreign seaman carried over and above the proper proportion to British that were prescribed to be employed. Now, if a legislative declaration should abolish impressment, there would be no difficulty whatever in obtaining any number of wholly British seamen for the merchant service, and at wages which fair competition and the relations between supply and demand would always easily settle; so that foreign seamen would never be necessary for the equipment of our mercantile marine. It was only because British seamen were liable to impressment, that they went abroad, and served on board the ships of America, Holland, Russia, or other nations; and it was only because foreigners were not liable to this impressment that they were ever employed in British ships at all. Let impressment be declared to be unjust and illegal by the Parliament of the country, and in six months after such a declaration, we should see British seamen returning from every foreign nation, in which they are now scattered, to serve in the ships of their own country,—and foreigners, on the other hand, leaving our ports and returning to their homes—an exchange that would be beneficial to all parties, and prejudicial to none. When this should be done, it would be as just as it would be practicable to enforce those portions of the statutes which were enacted to compel British merchant vessels to carry a crew of men and boys proportioned to their tonnage, under a penalty of *5l.* for every man or boy deficient, on examination by surveyors, or other legal proof. This penalty would not be more than about the actual amount saved to the ship by such deficiency for a single month, the wages and provisions taken together fairly averaging that amount. In such case, supposing only one man or boy to be deficient in each ship, for one month in the year, during the periods between entering outward and inward, in which their crews should be required to be complete (and deficiencies to this amount would be sure to arise from death, accidents, desertions, discharges, and other contingent causes, all of which would be savings of expense to the ship, however occasioned), the sum raised by such penalties would be 100,000*l.* per annum—a fund to be reserved for purposes hereafter to be detailed; but the liability to be forced to contribute to which would be a constant stimulus to shipowners and commanders, to keep their crews complete and efficient within the terms prescribed by the law, while the nation would be benefited, by the constant creation of a rising body of useful seamen for her navy, and the additional safety to life and property for the mercantile marine itself. The next step would then be, to class all seamen now serving, or having formerly served, in the royal navy, into three classes; the first to include all men who had actually served in ships of war for a period of fifteen years; the second to embrace those who had served for a period of ten years; and the third to include those who had served for a period of five years. The classification being complete, the seamen of each class should be declared entitled to a small extra pay, as a reward for the past or a retaining fee for their future services, or both, at the following rates: namely, for the first class, after fifteen years' service, three-pence per day; for the second, after ten years' service, two-pence; and, for the third class, after five years' service, a penny per day; to be paid to them wherever serving, provided it were in a British ship, and on shore as well as at sea, and to be continued to them also while in his Majesty's ships, as extra emolument beyond the stated pay of the seamen not enrolled in either class, on condition that they should at all times hold themselves in readiness to leave whatever employment they might be engaged in, whenever called upon by the principal naval officer of the nearest station to repair to his Majesty's service; any refusal to comply with which, to be attended with loss of rank and pay for life. This provision, which was not without a precedent, as the Duke of York secured to the soldiers of the army an increased daily pay after a given number of years, would, at once, induce every man who had ever served in the navy for either of the periods named, to repair to the stations appointed for that purpose, to enrol himself in the class to which he might belong, to prove his service and good conduct, and to enter upon the receipt of his extra pay. At the lowest estimate of numbers, this plan alone would secure the constant readiness of 20,000 seamen, of all classes, for immediate service when required. The expense of this might seem, at first, to be an objection; but, supposing 7,000 men of each class to be so retained, at the rates of extra pay mentioned, making in the whole 21,000 men, the cost of their retention would be only 63,030*l.* per annum, or little more than half the amount which the penalties upon merchant-vessels found deficient of their complement would raise. But, supposing this fund to be objected to, the paying off of a single line-of battle-ship would save the entire amount—the half-pay of an admiral would retain a whole frigate's crew; and the reduction of one superfluous captain would keep, for the service of the country, a brig-of-war's complement of a hundred and twenty men. There was, however, a much greater expense incurred by the present system, as the following brief statement of facts would show:—"A boy of thirteen years of age enters the navy as volunteer of the first class. The preliminary education cannot be supposed to have cost much. For the first two years he is improved by receiving instruction from the schoolmaster, and his pay for this time is 20*s.* per month, or 26*l.* for two-years. Let him be allowed to serve five years longer as midshipman and master's mate (although four only are necessary), for which service, calling four years as midshipman, at 34*l.* 18*s.*, he receives 139*l.* 12*s.*; and one year as passed master's mate, 59*l.* 16*s.*, he receives altogether 225*l.* 8*s.* for his seven years' service. These calculations are made on a first rate. He is then made a Lieutenant, and, if placed on half-pay, is entitled to 5*s.* per day for life (being then twenty years of age), which half-pay, as he advances on the list, increases to 6*s.*, then to 7*s.*, per day—the highest he attains in that rank. Now, for the latter five years of this time (and more particularly the last one, as master's mate) he is eligible to a considerably greater share of prize-money than the able seaman. Two years' further service will render him competent for a commander's commission, with a half-pay of 8*s.* 6*d.* per day; and one year more a captain's, with 10*s.* 6*d.* half-pay; gradually increasing as he rises on the list, until (if he live) he will attain to the rank of Admiral of the Fleet, or the pay of 3*l.* 3*s.* per day: and all this although he never goes another day to sea, or sees but nine years' service as man and boy. And it is possible to perform the service which will entitle him to these considerations in little more than eight years, and before he is twenty-two years of age." If they added to this, the enormous expense of the impress system, as before detailed, in the guard-ships, tenders, press-gangs, and all its odious machinery, making, in some cases, as shown by the statement of the North Sea pilot, Mr. Draper, the cost of each man pressed into the service nearly 600*l.* sterling—all objections on the score of expense must vanish; independently of which, this great consideration ought never to be lost sight of—namely, that by the impress system more than half the number of men obtained were found to be so worthless, that, after incurring all the expense of collecting them, they were obliged to be discharged as not worth the expense of their subsistence; whereas, by the system of free entry as volunteers, every man would be efficient from the moment of his stepping on the deck of the ship in which he was to serve. As the provision made by the Duke of York for soldiers receiving extra pay after a given period of service had been adverted to, some notice might also be taken, perhaps, of the difference in the scale of bounties, where men are obtained, not by impressment, but by recruiting or enlisting, at dépôts for both branches of the service. This was very clearly stated in the following abstract:—"Bounties are given to soldiers enlisting, even in time of peace, although sailors get nothing; and even the keeping the army together, not being tolerated by our Constitution, (see the 1st of William and Mary) depends on the annual passing of the Mutiny Bill. The total expense of recruiting (exclusive of bounties) for 1830, in the United Kingdom, was 36,950*l.*, and for this sum 2,015 men were raised at the expense of about 18*l.* per man, and, by the employment of thirty-six staff-officers, forty subalterns, and 143 privates, at the nine recruiting districts. To this must be added the bounties; and if the same pains and expense were adopted to procure men for the navy, no doubt it would be successful. The following is the scale of bounties given towards the close of the war. In the Army, for men, 16*l.* 16*s.*; for lads, 12*l.*; for boys, 8*l.* Marines: for men and lads above five-feet two-inches, being sixteen years of age, 16*l.* 16*s.*; boys being five feet, 8*l.* 8*s.*—and a Militia man received a bounty of 10*l.* 10*s.* for enlisting in the line. In the Navy an able seaman has 5*l.* 5*s.*, an ordinary seaman 3*l.* 3*s.*, and a landsman 2*l.* 2*s.*" But the great principle of granting, even to seaman, a species of pension, or half-pay, after a certain length of service, had been recognized by the 53rd of George 3rd chap 1, as well as by Orders in Council, by which seamen, having served in his

Majesty's navy, were divided into two classes—the one, those who had served fourteen, and the other, those who had served twenty-one years. To the first of these was given an extra pay of a halfpenny per day, on condition of their being always ready to serve his Majesty when called upon,—a sum too small to make it worth the while to serve fourteen years to earn it, and much too insignificant to make its forfeiture a matter of any importance while they were employed in the merchant service; so that, as a reward for the past, it was altogether insufficient, when proportioned to the length of service necessary to earn it; and, as a retaining fee for the future, it was too weak to bind any one fairly, therefore, in both respects. To the other class was given a pension of a shilling a-day, which was as much too large as the other was too small; and with this remarkable difference, that this best-paid class did not forfeit their retaining fee, if they refused to serve—as, over and above the pay of a shilling a-day, they were entitled to their free discharge; and, as such, being protected from the impress, they were valuable men for the merchant service, into which they enterd, and continued there as long as their strength would permit, since they enjoyed the merchant's wages and the King's pension besides! This explanation was the more necessary, inasmuch as the Sixth Finance Report stated, that, in 1816, there were 35,000 men retained for future service under the existing system—"whereas, the fourteen years' men, who receive a halfpenny per day, can alone be subject to forfeiture of pay if refusing to serve; and this is too small to make its loss important;—while the class paid at twelve times that rate, or a shilling a-day, are the very class entitled to their free discharge, and whose services cannot be commanded, or their pay withdrawn, on refusal to re-enter." After the enforcement of the acts for competently manning the mercantile marine, and the classification of the seamen now serving, or having at any time served in his Majesty's navy, for either of the periods already named, —the next step should be, to enact a Registration, at every Custom-house in the kingdom, of all sea-faring persons, earning their living on the water, and within the precincts of a-sea-port town, whether seamen, fishermen, or watermen, from the ages of twenty to forty; with a condition that no unregistered person should be employed in either branch of these occupations, but under penalty for non-registration, and being deprived of the power to sue for wages, or recover damages, unless registered at the Custom-house of the port to which he chose to belong. It might be remarked, that the shipowners of England in 1818 recommended such a registry, but that the seamen, conceiving it to be only a mode of facilitating any future operations of the Impress Service, refused to come forward; and from the same fears, there had been always a reluctance to any system of registration. Let a parliamentary declaration, however, but once be made against the system of impressment, and the faith and honour of the nation be pledged that it shall never again be resorted to, and all former objections to registration would be entirely removed:—and as the classification of men, having served the prescribed term in the navy, would show, at the Navy-office, the exact number of men at any time available for the public service from that source, so the registration of all watermen, fishermen, coasting and foreign trade seamen, at every Custom-house in the kingdom, would equally show at any time the whole amount of our available mercantile seamen, for commerce or for defence, as might be required. A third Registration should then be ordered, at the town-hall, or mayor's-office, of every sea-port town in the kingdom, of all the male inhabitants, from twenty to forty years of age, not being actually engaged in any occupation afloat, but following trades or professions connected with maritime equipment, and otherwise benefiting by maritime commerce, and, therefore, deeply and personally interested in maritime defence and protection. From these three classes, he believed, that the following numbers of available men might be had, from among whom to choose or select the required supplies for the naval service on any emergency that might arise. From the naval classes having already served the several terms of five, ten, and fifteen years, at least 20,000 men; from the maritime class, including watermen, fishermen, and seamen, in coasters and merchant ships, 500,000 men; and, from the sea-port resident class, including all the male population of London, Liverpool, Bristol, Hull, Portsmouth, Plymouth, and every other sea-port town in the kingdom, between the ages of twenty and forty, at least 1,000,000 more. The operation of supply would then be this: first, the calling upon all the naval class to come forward for the service, or forfeit all future rank and pay: secondly, the free entry from the maritime class of all disposed to enter for the pay and prospects prescribed; thirdly, a ballot from the sea-port resident class, for the deficiency required, when the two former modes had failed to yield the requisite supply. This ballot, conducted upon the principle of that for the militia, would raise, for instance, 10,000 men, at the rate of only one in each hundred of the million assumed—20,000 men at the rate of two in each hundred, and so on; the parties drawn to serve in person, or to furnish, from the maritime class, substitutes to serve in their stead, at such rates of bounty as the men could be procured for, and which would be settled by competition in the usual way; in return for which liability to furnish, by ballot, seamen to his Majesty's navy, the sea-ports should be wholly exempt from the ballot for the militia or land army, which could then more justly and appropriately be drawn from the rural districts and inland towns. The term of service should be in all cases limited to three years, with a power of voluntary re-entry for another period of three years, and a leave of absence for six months if engaging to renew—or a discharge from the service altogether if preferred; but, of course, in the latter case, with loss of all rank for length of service, and all claim to extra pay. If this were done, impressment abolished, and, instead of flogging or shooting for disobedience or desertion, a scale of rewards and punishments established, founded on additions and deductions of time, for rank and pay, enabling every commander after an action or a severe service of any kind, to advance and to reduce men in both by a court of inquiry, and with the approbation of certain officers to be named, empowering him to discharge entirely, with loss of character as well as emoluments, men grossly misbehaving and offending against the discipline established for the government of the crew:—we should see the whole navy in the same enviable condition as the favourite ships of favourite commanders now are, with such a character for equity and good treatment, that aspirants and expectants would have their names entered in anticipation on their books, to fill the first vacancies occurring; and the service of his Majesty at sea would be, as it ought to be, an object of proud desire and honorable ambition, instead of being, as it now is, a place of punishment for the criminal and of terror for the upright and honorable man. It now only remained to be shown that were these changes made, the naval service would be the most attractive of all occupations for persons of the humbler class of life, and that with the many agreeable features and the many advantages it would possess, a very moderate scale of remuneration would attract an abundant supply of men to its vessels. Living, as we do, in an island of so small an extent, the sea coast is inhabited by nearly the half of our population, and of the other half there are extremely few who, at one period or other of their lives, do not become familiar with its borders. A maritime taste is thus formed, at a very early period of life, in the minds of all our youth. The sea is the scene of our greatest victories—our maritime dominion is our chief glory. The defeat of the Spanish Armada, and the battles of Rodney, Hawke, Howe, Hood, Duncan, St. Vincent, Nelson, Cochrane, Smith, Exmouth, Hoste, Codrington, and Napier, are all as familiar as household words to every boy in the country. Greenwich Hospital and its veteran pensioners are objects of extreme veneration; Dibdin's songs are sung in every rural village; and the sight of our fleets of East-Indiamen and West-Indiamen, with vessels from the Baltic and the Mediterranean, Canada and Baffin's Bay, the Atlantic and the Pacific, inspire such strong maritime associations in the minds of their beholders, as they enter or leave our ports, that it is difficult to repress the ardour of young and enthusiastic minds from embarkation on some foreign voyage; while the universal homage shown to naval officers and naval seamen, by the women of England, wherever they may be, confirms the admiration of a profession, on which so many pleasures and advantages seem to be bestowed. The variety of scenes and adventures characterizing a sailor's life, and the very dangers by which it is surrounded, possess a charm that few can withstand; and hence it is, that an excursion on the water is one of the most popular enjoyments, that Robinson Crusoe is the most popular of stories, and the Shipwreck of Falconer one of the most popular of poems, among the rising generation. In spite of all this, however, the very name of "a man of war" strikes terror into the minds of those who are threatened with being carried off to it as a punishment; and the alarm of the "press-gang" being abroad, will sweep a street of all its male inhabitants more rapidly than the rumour of fire or the plague. And yet, divested of these most prevalent associations of forced service, long confinement, and flogging, which are now inseparable from the idea of a ship of war, but which might all be abolished without hesitation, the life of a sailor in the navy might be made as much more comfortable than in the merchant service, as language could well describe. Besides the feeling of superior pleasure in sailing in a finer ship, and superior dignity in belonging to the national service, there are other solid and substantial advantages, which are well defined in the following enumeration:—"The advantages of the King's over the merchants' employ, consist in the men being better lodged, having less work to perform, or, as sailors say, 'less wear and tear of clothes and carcase;' of having the best medical and surgical assistance at hand, in case of sickness or accident—for want of the timely aid of which they often perish, or become crippled, in merchant ships;—the prospect of bettering their condition, by promotion to the rank of warrant or petty officers, which good conduct usually insures;—provision for life, in case of being maimed, and a pension for long service, which, although small, is pretty generally appreciated by their brethren in sea-ports, who perceive the help to a comfortable subsistence which, in aid of some occupation, it affords. Being exposed to less risk of wreck in bad weather, their ships better found, conducted by skilful officers in each department, and easier worked and managed than deep-loaded-merchant vessels; for there are many situations, such as lee shores, which would be fatal to the latter, that are hardly dangerous to a well-appointed man of war. The chances of prize-money, and less risk of capture by the enemy, which is one of the most serious misfortunes that can happen to the sailor, who, if taken prisoner, is closely confined, on short allowance, as long as the war lasts. Being less frequently in harbour, consequently having fewer opportunities to squander his money (a folly to which all sailors are addicted),—and, if careful, he may, without any great sacrifice, save enough out of his pay (to say nothing of prize-money) to enable him to establish himself in some comfortable birth, at the end of his first or second term of service, such as the purchase of a small craft, or share in a vessel, a shop, or other small business; and thus, with the aid of his pension, spending the remainder of his days in independence. By Act of Parliament, he is allowed to set up his trade in any corporate town in the kingdom, without having served apprenticeship. His children receive such an education, at the public expense, as fits them to rise to mediocrity, if not to the top of the naval or merchant profession. He has his letters free of postage to and fro, and facilities of apportioning part of his wages to his wife and family, without expense or risk; in addition to all which, he is eligible for, and may be fortunate enough to obtain, one of the many situations, such as signal stations, light-houses, porters, wardens, &c. generally given by Government to old sailors, in reward for long and faithful service, and encouragement for good conduct in others." It was impossible but that these advantages should soon become apparent; and, when the drawbacks of forced service, long confinement, and severe punishment, should be taken away, they would then shine forth in all their most attractive force; and, as no department of public life would be more popular, so none would be more easily supplied, than that of the navy, under the plan described. Such a change as that proposed would be advantageous to the merchant service, in removing all restraints from men appearing to offer themselves for the ships in need of crews,—thus giving to their commanders the widest range of choice for hands, and at the lowest wages. It would be advantageous to commerce, by increasing the safety of ships against the accidents of wreck or battle, and, by rendering the danger of such vicissitudes less, would reduce the amount of insurance for risk. It would be advantageous to the navy, by making the service so much more honourable and efficient as to increase the pride and pleasure of all who might belong to it—both officers and men. And it would be advantageous to the whole community, by drawing home, from the ships of foreign nations, all our scattered seamen, to serve in those of their native country: thus weakening the force of our enemies, while it increased our own, and promoting two of the greatest ends of public good—increased economy, and increased strength. If the object itself, then, were worthy of our attention, he contended that the time was peculiarly fit for its accomplishment. All around us was now happily in a state of profound peace; but, at the same time, all the elements of naval greatness were on the increase in other countries, if not in our own. In France, in Russia, and in America, ships, seamen, and stores were all augmenting—naval science and naval skill were cultivated more than ever—and a day might come, when it would be necessary for us to put forth all our energies upon the ocean again. Let us, then, while there was yet time, begin a system which should the better prepare us to meet such an event. We had recently passed an Act to declare, that slavery should be for ever abolished throughout every part of his Majesty's dominions. Impressment was slavery in its most hideous form,—tearing men from their homes and families by force of arms—retaining them in subjection by the terror and the infliction of the lash—flogging them round the fleet, or shooting them, if they deserted—and hanging them up at the yard-arm, if they were found in arms in a hostile fleet. We had admitted our East-Indian subjects to the enjoyment of political freedom, and never thought of manning either the army or the navy of the East—though the government was avowedly a despotism—but by free entry and liberal pay. And should we treat our free-born seamen, by whom our commerce was conducted, our island defended, and through whose perilous devotion we obtained the luxuries of all the world, and enjoyed our tranquil homes,—should we treat those, to whom we owed so much, worse even than the kidnapped Negro or the conquered and subjugated Hindoo? It was impossible!—He believed that the whole body of British seamen, with one united voice, would demand emancipation from so odious and degrading a yoke;—the whole body of British landsmen would join them in their demand. The King, upon his sailor throne, could not be indifferent to their united prayer. The Lords would, he hoped, be willing parties to such an act of grace. The Commons would have but to originate it, when its accomplishment would be sure; and this one act of justice and generosity to a brave and invaluable class, would heal many wounds—would drown many complaints—and, like the robe of charity, when thrown around the Session at its close, it would cover a multitude of sins. The hon. Member concluded by moving the Resolution he had stated at the beginning of his speech.

Mr. *George Young* seconded the Motion. He did not intend by any remarks of his own, to weaken the arguments of the powerful speech he had just heard, further than to say, that the Motion met with his most cordial concurrence. He earnestly hoped, that the subject would engage the attention of his Majesty's Government, now that the country was in a state of the most profound peace. He was of opinion, that the matter ought to be no longer delayed, and that the object of the Motion might be effected without any compromise of the national power.

Sir *James Graham* did not expect so lengthened a speech from the hon. Gentleman, for if he recollected aright, in the first speech he had ever heard from the hon. Member, he had expressed his aversion to long speeches in that House, and had even gone so far as to assert that no person should attempt to detain the House longer than a quarter of an hour in replying to another hon. Member's arguments, and not longer, certainly, than half an hour in opening the subject of discussion. He was sorry, in this instance, to observe that the hon. Member had been so far debauched by keeping bad company, as no doubt the hon. Member then considered it, as to have, in the speech just delivered, occupied just four times as much of their time as he had laid down for other speakers by his rule. He would, in endeavouring to follow the arguments of the hon. Member, attempt to keep his precept in view, and avoid his practice. He confessed he was not a little surprised at finding the hon. Member, on the evening of the 15th of August, pressing on the attention of the House, already overwhelmed with business of the most indispensable urgency and importance, a Motion like the present, which could not possibly end in any useful or practical results, were all his principles admitted, and the remedies suggested approved. He was the more surprised at it, when it was recollected they were neither in the sixth Session of a septennial Parliament, when it might have been venial in Members to attempt to resuscitate their fading, if not almost extinct, popularity with their constituents; that neither were they yet arrived at those halcyon days of annual Parliaments and universal suffrage, or at a period in our parliamentary history, when it would be more desirable in a candidate's eyes to be carried on the shoulders of the electors to the hustings once more, with the approving testimonials of popular meetings out of doors, than with a certificate of practical utility in his place in Parliament. He could not believe that the hon. Member really intended, by this Motion, to excite discontent in the minds of British sailors; yet the forced analogy he attempted to make between the consequences of impressment and those of slavery, and his contrast of the condition of slaves in the West Indies, and sailors in our navy, was not a little startling to every lover of his country. He confessed he could not, without regret, hear him quoting what had been said by an individual at New York, in the United States (under all the excitement incident to a state of war between the two countries), reprobating the manner in which our ships were manned. But most of all, did he regret to hear him abuse that exercise of power which the highest authorities in the law had recognised as the dormant privilege of the Crown, to be exercised in its discretion at such times as it appeared necessary for the safety of the community; and even going so far as to anticipate that its exercise, though thus sanctioned, would be met by opposition—an opposition which the hon. Member seemed prepared to justify. That such a course should be cautiously avoided, he thought few would entertain a doubt. The perpetual discussion of the abstract question, where the right of resistance begins, and the duty of obedience ends, was highly impolitic in debates of that House, more particularly upon subjects connected with the defence of this great maritime empire. It was a topic, as a great and eloquent statesman had observed, that ought always to be present to the minds of rulers, but scarcely, if ever, to be brought to the recollection of their subjects. The hon. Member had declared the practice illegal; but though he had dwelt at length on most other topics included in his speech, he had not touched the able arguments adduced in favour of the legality of impressment by that distinguished ornament of his time, Justice Foster, to be found in his Treatise on Crown Law, and which, as yet, remained unanswered, and, as he believed, was unanswerable. The Judge had observed, that the argument proceeded on the ground that, in time of danger, or actual war, every subject owed allegiance to his Sovereign. The question resolved itself into this, was there any difference between the power which the Crown had of enforcing that assistance in defending the nation as respected the land and the sea service? The hon. Member had alluded to the statute of Charles 2nd, which pronounced the impressment of men as soldiers illegal, and had thence inferred, that the silence of the law on the subject of impressment of sailors from the merchant service, was a proof that it was also illegal. Now his mode of drawing the inference would be totally different from that of the hon. Member; and he should infer, from the practice of impressment having been so many ages so notorious, and from the law having forbidden the practice of impressing soldiers, that the silence of the law must be proof, almost positive, that the law and the Legislature acknowledged the right in the Executive. But not only was it the practice for ages, and as such acknowledged by the Common-law, but the uniform usage had been supported by the Statute-law. It was acknowledged to be by the Common-law part of the rights of the Crown, and to stand in that respect on just as strong ground as the liberties of the subject. That his Majesty was authorized by his warrant to order the impressment of men to supply and man the navy, on emergency, was the subject of perfect recognition by the Statute-law, and the usage for ages had been uniform and unbroken. Nothing, therefore, in the nature of a right stood on a firmer footing at the Common-law than this right on the part of the Executive. What fortresses and standing armies were to Continental Powers, our fleets and vessels of war were to this insular empire. The advantages we had over other nations consisted not less in this, that our means of defence were cheaper than theirs, than as certainly that our safety depended on those gallant men who had always been, and ever, he felt, would be, the intrepid and faithful defenders of their country. The hon. Member had complained of the practice because it was partial, and fell exclusively on sea-faring men. Now, in his mind, that circumstance formed a strong feature in the arguments in the defence of impressment, for had it not been thus partial, but general, then, indeed, it would have been cruel and unjust in the extreme. The merchant sailor was still a sailor, acquainted with, and not incommoded by sickness or a nautical life—if impressed, he only changed his master. But if the practice was to impress equally the peasant and the seaman, and such an inexperienced man was to be taken on board, it would be as equally cruel as it would be absurd, because he would be, for a length of time, perfectly useless. As to the law on that part of the subject, the hon. Member ought to be informed, that if ever cases had arisen of landsmen being impressed, the Courts were open to such persons, and the offenders so guilty were indictable at Common-law. In the last war, though there were not less than 150,000 seamen engaged at one time in the sea service of the country, it never was the practice generally, though it might have been the abuse, to impress landsmen; and in all instances where it had been notified to the officers commanding, such persons had been immediately discharged, in strict accordance with the express orders issued by the Admiralty. Indeed, they were, as his hon. and learned friend (the Solicitor General) informed him, entitled to be discharged by the operation of law and by the Judges of the land, on a proper representation of the fact of their detention on board. The most singular part of the hon. Member's argument was the comparison he drew to the disadvantage of England between the mode in which Russia and this country manned their ships of war. In that despotic Government the singular practice had been resorted to of marching one or two regiments in a body from the interior, and putting them, crude and unpractised as they were, on board the Russian vessels of war, having never before seen a ship of any description. As to the French navy, he must observe, that the system of manning it was so nearly that proposed by the hon. Member by means of a registration of all sailors in each district, as to rob the hon. Member of all the merit of originality in his suggestion. Indeed, the system operated nearly in the same manner and subject to all the embarrassing objections applicable to the system of impressment in this country, for the Sovereign had a right to enforce, by his order, the service, on board his ships of war, pending hostilities, of any of the mercantile seamen of the country. Though diffuse enough on other parts of his subject, the hon. Member had not been very communicative as to the modes of remedy upon which he appeared to rely. He unequivocally assented to the three principles with which the hon. Member set out. The first in order was, that it was most essential to our defence that we should have a good mercantile marine. He agreed, that the attention of Government ought to be particularly directed to this object; and he confessed that had it not been for the extreme application he had been obliged to give to other not less important subjects, he certainly should have, as he had intended, applied himself to the establishment of a good code of mercantile law, relating to seamen's wages, and other points, particularly calculated for their protection, when in foreign ports, or on foreign service; and he proposed to himself the task, during the recess, of giving to these objects his particular attention. Indeed, ever since the peace, it had been an object with each successive Government, to do every thing which might ameliorate and improve the condition of both our mercantile and naval marine. He hoped the House would not for a moment imagine, that he was supporting in the abstract the principle of impressment, which could only be regarded with any permissive indulgence as one of the evils consequent upon a state of war; and which it was the duty of every British statesman to attempt to modify, if not altogether avert. Perhaps one of the best modes of avoiding the necessity of being compelled to have recourse to the practice of impressment, for the purpose of manning our navy at the breaking out of a war, would be found in rendering the service acceptable to the merchant sailor in time of peace. With that view, the Admiralty had long since adopted the very plan, as far as registration went, proposed by the hon. Member. The stimulus now chiefly depended upon by the Board, were classification and reward. There were three classes recognised on board our ships of war—the first were landsmen or waisters; the second ordinary; the third or highest the class A B; and a power was granted to the Commanders to raise a man, in case of merit, to a higher rating, or, on the contrary, to disrate him. Nor was this all.

Since the war, the sailor who had been above ten years in the service, or who had lost his health, which was considered equivalent, was entitled to a proportionate allowance of pay, and in the same way their pensions were graduated in an equal proportion to their period of service. The next subject of the hon. Gentleman's remark was the delicate one of punishment in the navy. This was a subject which had attracted the anxious notice of previous persons who filled the situation he (Sir James Graham) now filled—and during the period that Lord Melville was First Lord of the Admiralty, the attempt had been successfully made to diminish its frequency, by requiring from each captain a quarterly return of the instances of punishment which had taken place on board his ship, with a brief statement of the nature of the offence and the proof on which conviction had taken place, signed by other officers of the ship. The order of the Admiralty also was imperative, that except in cases of mutiny no punishment should be inflicted until after twenty-four hours from the time of the offence being committed. He had the greatest gratification in stating, that in consequence of these and other regulations of the Board, the number of punishments had been reduced fully one-third. The last subject alluded to by the hon. Member was that of the pay, and to that he should now address himself. It could not be denied, that during the war the great disparity there was between the pay given by the merchant and that given by the Admiralty, was a ground of complaint and alienation of our sailors from entering into the navy. The alteration in the value of money which had since taken place, together with the liberality now shown to our sailors on board in regard to the quantity of their provisions and allowances, as well as to their superior quality, he thought had more than rendered the condition of the sailor on board of men-of-war equally as desirable as those on board of merchantmen, even allowing that there might in time of war be an inequality in regard to their pay respectively. With respect to one article of expense in regard to our sailors—namely, a profit which had been suffered to be made upon slops served to the sailors, which he had conceived unjust as respected the seamen, he had occasioned its being no longer allowed, and within the last two years not less than 60,000*l.* had been saved to the public in this way. The House was aware the prevention of smuggling was principally confided and attributable to the force usually known by the name of the Coast-guard. The persons serving in this force were denominated boatmen; their pay was so considerable—namely, 3*s.* a-day, as to make it an object to our seamen; besides which they were entitled to a fair share of the prizes taken from smugglers, or spirits picked up or sunk, in hopes of being illicitly conveyed on shore. These appointments, which would certainly have formed a means of excitement to a meritorious performance of duty on the part of sailors, had formerly been held by the Treasury as part of its patronage, and those appointments were very frequently given to landsmen. The noble Earl at the head of that department had, however, in compliance with the suggestions of those, who had the interest of the service deeply at heart, and were charged more immediately with the meditated improvements in our military marine, with the most laudable promptitude transferred that patronage to the Admiralty, which afforded the Board opportunities to add fresh incentives to seamen to a zealous performance of their duty on board ships of war, by appointing those who having been three years on active service in the navy, and were furnished with a certificate from their captain of meritorious conduct, to these situations on the Coast-guard. This he had reason to believe already began to have its due weight in promoting alacrity in the performance of duty in our navy. He could not help confessing that he altogether acquiesced in the force of the objection made by the hon. Member to the practice but too frequent last war, of sending smugglers detected in running goods, on board his Majesty's ships as a punishment. He had intended in the Bill produced to Parliament this Session, connected with this subject, to have introduced a clause repealing so much of that part of our Criminal-law as referred to this mode of punishment; but it had been suggested to him that this Act was, by its preamble, an Act for the consolidation only of the existing Statutes on this subject, and that the introduction of other matter into it might be considered irrelevant; the intention was laid aside for the present; but he pledged himself that he would, by the next Session, apply himself especially to this subject, and introduce a separate Bill for the purpose of discontinuing that practice, and abolishing, as a means of punishing such offenders, the right to send them on board our ships of war. It was said that Lord Exmouth and Lord Collingwood were of opinion that impressment might be dispensed with. He did not know what might have been the opinion of Lord Exmouth, but the hon. Gentleman was deceived when he said that Lord Exmouth never had recourse to impressment. There was an hon. Member of that House then present who had seen men pressed under that noble Lord's immediate directions. He (Sir James Graham) had the good fortune to learn the opinion of Lord Nelson, on this subject, from a brother officer, a most kind-hearted man, and one of the bravest of officers, a man who had served long under the immediate orders of Lord Nelson, and who was that great man's most intimate friend, and was no mean authority on this subject himself—need he mention the name of Sir Thos. Hardy? Sir Thomas Hardy delivered it as the authorised opinion of Lord Nelson, that as a measure of precaution, it was absolutely necessary to be able to have recourse to impressment; but that every possible encouragement by kindness, indulgence, increase of pay, and of comforts, should be held out to seamen to induce them to enter the service voluntarily. Sir Thomas Hardy himself was of opinion that if a war were to take place they could not support the honour of the British flag without being at liberty to have recourse to impressment. He was unwilling to trouble the House at any length. The hon. Member who made this Motion had relied on authorities, and had mentioned a speech of Lord Camden, who had challenged any lawyer to show that this practice was constitutional. He (Sir James Graham) would quote an opinion of an authority equally high at least, and one who was as ardent a lover of liberty as he was of his country. The hon. Member had read numerous extracts—he (Sir James Graham) would only read one extract in answer, but that extract would contain the opinion delivered on this subject by the great Lord Chatham. He would give that noble Lord's opinion in his own words, for he was sure the language used by the noble Lord was far more powerful than any thing he could say, and he was sure it would have as great an effect on the House as it had on him. These were the words used by the noble Lord on the subject of impressing seamen, on the 22nd of November 1770: 'the 'subject on which I am speaking seems to 'call on me, and I willingly take this occasion to declare my opinion upon the 'question on which much wicked pains 'have been employed to disturb the minds 'of the people, and to distress Government. My opinion may not be very popular, neither am I running the race of 'popularity. I am myself clearly convinced, and I believe every man who 'knows anything of the English navy 'will acknowledge, that without impressing it is impossible to equip a respectable 'fleet within the time in which such armaments are usually wanted. If this fact 'be admitted, and if the necessity of 'arming on a sudden emergency should 'appear incontrovertible, what shall we 'think of those men who, in a moment of 'danger, would stop the great defence of 'their country? Upon whatever principles 'they may act, the act itself is more than 'faction; it is labouring to cut off the 'right hand of the community. My 'Lords, I do not rest my opinion merely 'on necessity; I am satisfied that the 'power of impressing is founded on uninterrupted usage, it is the *consuetudo* '*regni*, and part of the Common-law prerogative of the Crown.' That was the opinion of an ardent lover of liberty, but who preferred the honour and safety of his country to popular applause. He would not depart from such a sound opinion, and as he would not seek popularity at the expense of the honour, dignity and safety of the nation, he would not hesitate to give his most decided negative to the Motion of the hon. Gentleman.

Mr. *Hume* said, that he had heard with great satisfaction many parts of the right hon. Baronet's speech, but he was at a loss to know how, after admitting the force of many of his hon. friend's objections, he had come to the conclusion of so decidedly opposing the Motion. The right hon. Baronet seemed to found his chief argument in favour of impressment on the circumstance, that it was established by old custom. But was that a reason, that if it was bad it should not be changed? The old custom of electing Members of Parliament was bad, but that was thought no reason why it should not be altered.

The right hon. Baronet's argument, founded on the antiquity of the custom, was good for nothing, and fell to the ground. That impressment was sanctioned by Common-law, was no argument for its continuance; for were they not every day altering Common-law? Therefore, though the system of impressment might be as old as the time of Richard 2nd, since it was bad, it ought to be altered as speedily as possible. He was at a loss to know what the right hon. Baronet meant by his argument of necessity; for he had not pointed out what constituted that necessity. He thought the House should pronounce themselves in a distinct manner against this system, which was both cruel and illegal. He made use of the word illegal designedly, because the practice was illegal, since it fell upon one class of persons in particular. Whether the right hon. Baronet was fortunate in alluding to Russia and France, it mattered not; what they wanted to know was, whether an illegal and cruel practice was necessary for the good of the service or not? He did not think it was. He had met in the course of his experience with many distinguished naval officers, whom he consulted on the subject; and he had scarcely ever met with one who did not say that the system did not ensure that cordial co-operation on the part of the men which was absolutely necessary for the success of the service. If, as he held, the practice was unconstitutional—if, in its operation, it was cruel and partial, and inefficient for the service of the Government, and that it did not give satisfaction in the humble ranks of life—if all this could be proved, and if the House found that such was the truth—he would ask the House whether the Motion of his hon. friend ought not to be entertained? But the right hon. Baronet said the 15th of August was not the proper time to bring forward such a Motion. Such an argument came rather awkwardly from a member of a Government who were bringing forward almost at the same time, Motions that ought to be made at an earlier period of the Session, if they ought to be made at all. For such a Motion as the present, no day of the Session was too late—no, not even the very last day of the Session—since it was likely to be productive of good. The right hon. Baronet had not dealt with the subject fairly and candidly; he should have shown that it was necessary to continue the practice, and he should have pointed out if it were not necessary how it might be prevented. Upon those points the right hon. Baronet had completely failed. His hon. friend deserved the thanks of the House for having brought forward the Motion, as it would be productive of benefit. He himself, for five years had made Motions on the same subject, but it was not one that could be dealt with by individuals, it was one that must be undertaken by the Government. He believed, however, that since he first brought the question before the House many ameliorations had take place, and that the comforts of the sailors in the royal navy had been increased, so that some good had resulted from the agitation of the subject, though he had not completely succeeded. He was glad to hear that sailors were not to be immediately punished, but that some time was to elapse after the committal of the offence; and he should be glad if there were laid annually on the Table of the House, a return of the number of punishments inflicted on board each ship in his Majesty's service, since he considered that would be a check upon those officers who might be influenced in their decisions by the misfortune of possessing hasty tempers. If the House negatived the present Motion, and refused to entertain it, that would be construed into a desire of their wishing that the system should be continued. He thought, that giving a direct negative to the Motion would be liable to such a construction. For his own part, he would vote for the Motion, otherwise he should belie his own feelings, and the sentiments he had so often expressed on the subject.

Sir *Edward Codrington* had heard the speech of the hon. member for Sheffield with great pleasure, and he did not think it deserved any reproach on account of its length. He thought, however, that if the hon. Member would consent to alter the latter part of his Motion, he would render it more acceptable to the House. As to the cruelties inflicted on seamen by the system of impressment, he would mention one case which had come under his notice. A sailor was impressed at Douglass, in the Isle of Man, some years ago, and carried on board the fleet. He was sent on foreign service, and kept there for several years, till at last he fell into a consumption, and came home merely to die. This man was e last of a large family, who had all died n his Majesty's service. He could, if necessary, give many other instances of the same kind. His objection to impressment was, that under the pretence of impressing, it gave an opportunity of sending all the rogues and vagabonds in the country that the Magistrates were anxious to get rid of on board the fleet. He remembered, when he was last appointed to a command, seven-and-twenty men were sent on board who had just been taken out of irons. In order to ascertain whether they were fit for anything, they had a way in the navy of trying what their hands were made of; and, on looking to the hands of these men, he found they were as soft as those of young ladies, and fit for no purpose that he knew of but picking pockets. He gave notice that it was impossible they could be useful to him, and they would demoralize his crew; but the answer was, that it was desirable that they should leave London, and that the Lord Mayor wished it. He contrived, however, to get rid of them ultimately. Another class of persons often sent to the fleet was poachers—a class not very agreeable on land, and who certainly did not improve, either as company or in usefulness, at sea. With regard to the impressment of seamen, if it were lawful, the law ought to be ameliorated. As the law at present stood, the men were not asked if they chose to serve; they were forced on board the fleet; they were not allowed to communicate with their friends, and they were not allowed to go ashore for fear they should desert. If there was any act in the world to which he could apply the names of cruelty and oppression, it was this. But the worst of these regulations was, that the more valuable the man, the more he suffered. He had known an instance of a most valuable man—a boatswain's-mate, who had served for five years with the fleet. He (Sir Edward Codrington) had never refused him leave to go ashore when he wished to go, for he knew that the confidence would not be abused. At the end of five years that man came to him (Sir Edward Codrington) to ask his discharge, as he wished to go to London to attend on his father and mother, both of whom were old and infirm. The man added, that he had no wish to leave the service, but would return to it as soon as he had seen his parents laid in the grave. His answer was, that he was so valuable a seaman that he was sure it would be useless to ask his discharge, for it would not be granted. The sailor said, that he would willingly give eighty guineas to get his discharge. Upon this, he wrote to the Admiralty stating the circumstances of the case; that this man had been impressed, and that he was willing to give eighty guineas for his discharge; but the answer was a positive refusal. It was such conduct as this which gave disgust in the navy. He, therefore, said, that if the Motion of the hon. Gentleman had been differently worded, he would support it. The present system was most cruel, and it was high time that House should take it into consideration. His opinion was, that the King ought to have the power to call every man into the service of the country in times of absolute necessity; but he also thought, that every man ought to be recompensed according to his services whenever an opportunity offered. So far, however, was that from being the case at present, that the more valuable the seaman was, so much the more cruelly did he suffer. Justice was not done to the navy even in times of peace. When he presented memorials to the House complaining of a hardship, the right hon. Baronet, the First Lord of the Admiralty, was the first to oppose them. He was surprised to hear the right hon. Baronet speak of justice as he had spoken. He could produce an order issued by the Admiralty which had disgusted the whole naval service. And he could assure the House, that it would not be so easy, in consequence of the disgust, to man the navy, even at present, were it not for the difficulty of obtaining other employment. He hoped the hon. Member would word his Motion so as to meet the opinions stated in the House, and he was sure that he would get the better part, and perhaps a majority, in his favour; and he should have his support at all events.

Alderman *Thompson* was rejoiced to hear the statement made by the hon. and gallant Admiral opposite, and he hoped it would meet with attention from the House. He had long felt that it was a gross abuse of power to press seamen into the service against their will. Why should the system of impressment be necessary in the navy more than in the army? Why should not bounties be given to individuals volunteering into the navy? He was aware, that bounties would entail a considerable expense on the country, but that was preferable to such gross injustice. He could not altogether approve of the Resolution of the hon. member for Sheffield. If the hon. Member, instead of the abstract proposition, had made a Motion, pledging the House to take the question into consideration next Session, or for the appointment of a Select Committee to inquire into the subject, he (Alderman Thompson) was sure that the House would be more ready to assent to it. He did not think there could be a better period for taking the subject of impressment into consideration than the present.

Mr. *Robinson* would only detain the House for a few minutes. There was hardly any way in which this question could be brought under the consideration of the House to which he would object, such was his abhorrence of the system; but he begged the House to consider the situation in which they would be placed if the Resolution were adopted. The Resolution declared that the system was cruel, inefficient, and so on. If this were affirmed by the House, the system must necessarily be discontinued, and that without any inquiry. He would, therefore, oppose the Motion, but merely on the point of form; but he could not affirm such a Resolution as this was, looking as he did to the pass to which it might bring them.

Captain *Elliot* said, that the cases brought forward by the gallant Admiral were subjects more appropriate for complaint to the Admiralty than to that House. He admitted, that the system of impressment was one which ought to be done away with as far as it safely could; that it ought not to be had recourse to but in cases of great emergency; and that the enforcement of it should, as long as possible, be avoided. He did not see what the faults which the hon. and gallant Admiral found with the Admiralty had to do with the question of impressment. The hon. member for Sheffield had alluded to the extent to which desertion was carried on at Gibraltar during the war. He (Captain Elliot) admitted, that there was desertion to a considerable extent, but he had found, in the course of his experience, that the desertion was less frequent among the impressed men than among the volunteers. The volunteers had been always found ready to desert, because it gave them an opportunity of getting the bounty over again. But desertion was not confined to the British navy, and could not, therefore, be attributed to the impressment. Desertion was frequent from both the French and American navies. The French system, which the hon. Member had so highly prized, was no other than a system of impressment under a different name. A case had occurred in France, in which, out of 1,500 seamen, 700 had deserted, and not seven of that number ever returned to their duty. This showed, that desertion was even more common in the French than in the British navy. With regard to the opinion of Lord Exmouth, he (Captain Elliot)had had the honour of serving under him, and he knew, that so far from not approving of impressing seamen, as the hon. Member had stated, he had on many occasions pressed men from merchantmen in the Mediterranean, and had blamed him (Captain Elliot), and other officers, whom he thought too remiss in doing the same. If it were necessary, he could produce more than twenty plans which had been laid before the Admiralty, for the abolition of the system; but what they all recommended was forced servitude and registration. The system of registration might, perhaps, answer in France, but, in his (Captain Elliot's) opinion, it would be impracticable in this country. Sailors would leave their homes and never return, and it would be impossible to keep up the registers. He had never seen an instance of a man continuing sulky or discontented because he had been impressed. Latterly service on board of men-of-war was preferable to that on board of merchantmen. The loss on board, of men, had been ascertained to be less, even during the last war, on board of men of war than on board of merchantmen. The health and comfort of the men was better provided for, the pay was better, and they were better clothed; so it was to be hoped that the difficulty of manning the navy would not be so great in future. He (Captain Elliot) had resided in Portsmouth during three years previous to his appointment to the situation which he at present held, and he had never seen any difficulty found in manning men of war, but he had seen several Indiamen come into the harbour which could not get men. He thought, if any changes were made in the system by the House, they ought to be merely such as would prevent abuses, so as to prevent impressment from being employed but in cases of absolute necessity. He should oppose the Motion as both dangerous and uncalled for.

Colonel Torrens moved as an Amendment, "That it is the opinion of this House, that it is just and expedient to regulate and mitigate the system of forcibly impressing seamen into his Majesty's service, in every way not inconsistent with the powers of the Crown in cases of emergency, to man the Royal navy."

Mr. *Labouchere* said, that the power to impress should certainly not be resorted to except in extreme cases. But he considered it inconvenient that abstract Resolutions of this kind should be brought forward. The abuse of the system in former times was properly objected to; but there was little danger of any such abuse in future. It was neither safe nor right to deprive the King of the power of impressing under the responsibility of his Ministers in cases of emergency, such as an unexpected war. He hoped that the House would not abolish the system, but that they would watch strictly over the uses made of the power. He therefore should oppose the Resolution in its present shape.

Mr. *Cobbett* said, that impressing of seamen from on board American ships by British officers was the cause of the American war, and that war had added 70,000,000*l.* to the National Debt.

Colonel *Torrens* withdrew his Amendment, and

Mr. *Buckingham* moved an amended Resolution—"That it is the duty of this House to avail itself of the present period of profound peace, to institute an inquiry whether some means may not be devised of manning his Majesty's ships in time of war, without having recourse to the practice of forcible impressment."

Lord *Althorp* had not the smallest hesitation in declaring, that if it were possible for this country, as a maritime State, to get rid entirely of the system of impressment, he should be as desirous as any one to get rid of it. But it appeared to him to be a necessary evil, which it was not possible entirely to avoid. His right hon. friend near him had stated circumstances, such as the breaking out of a sudden war, and the necessity of an immediate armament, which would render a system of voluntary enrolment of seamen, entirely insufficient for the manning of his Majesty's ships of war, in time to prevent the entire destruction of our commerce. Before we could fit out any squadron of defence, the sea would be swept of British merchantmen. He would venture, therefore, to say, that on the day on which the country deprived the Sovereign of the prerogative of impressment, the naval superiority of Great Britain would be at an end. At the same time he willingly admitted, that every means ought to be resorted to during peace to render the service so acceptable to mariners, that it would be unnecessary in time of war to have recourse to impressment, except in extreme cases, such as those to which he had alluded. Every encouragement ought to be afforded—among others, perhaps, exemption from duty after a certain period of service—to keep the commercial marine so disposed towards the royal marine, as to secure a constant and ample supply to the latter. It was the duty of his Majesty's Government, in time of peace, to adopt such measures as might render the necessity of impressment in time of war as small as possible. But he could never agree to a proposal which went to deprive the Crown of the prerogative of impressment altogether. Such was the object of the original Motion and speech of the hon. member for Sheffield. That hon. Member had been complimented on the moderation of his speech. In the justice of that compliment he could not concur. When he heard an hon. Member say, that the exercise of his Majesty's prerogative of impressment not only would be resisted, but ought to be resisted; he certainly could not compliment that hon. Member on his moderation. The hon. member for Middlesex had said, that no time was improper for the introduction of such a subject. He was not of that opinion; and thought that the present time was peculiarly unfit for its introduction. Of course nothing could be done on the subject in the present Session. Was it expedient, at the end of a Session, when they could not proceed to the adoption of any practical measure, that that House should pass a Resolution, holding out to the great body of mariners belonging to the country, that the system of impressment was to be done away with? Was it expedient to do this—at least until the House was satisfied of that, of which he was by no means satisfied—namely, that the step was one which could be taken with safety to the country? As to the system of enrolment, and of balloting from the enrolled men, that would be impressment to a certain extent. In his opinion, such a plan would be found impracticable. But even if it were practicable, he doubted whether it would put the sailors of this country in a better condition on the subject, than that in which they were at present. On the contrary, he believed it would place them in a much worse condition. No doubt there were many cases of impressment which were cases of extreme hardship. But several of the cases which had been that night quoted, were cases of illegal impressment. If they were to abolish any prerogative of the Crown, because it might be sometimes abused, no prerogative would be safe. As the Motion at present stood, it pledged the House to go into a Committee of Inquiry next Session. Now, let them consider what would be the effect of their agreeing to such a proposition, on every person engaged in the commercial marine of the country. It was not his intention, however, to meet this modified motion with a direct negative, although he should certainly have treated it in that manner as it originally stood. He felt more than doubts, however, whether at any time an adequate substitute could be found for the existing system. When the possibility of a sudden armament, and the necessity in such a case, of sending ships to foreign stations were considered, it seemed to him to be utterly impossible to think of entirely giving up the system. The hon. member for Oldham had said, that asserting the right of impressment had cost this country the expense of the last American war. Now, the assertion of the right of impressment was not the sole cause of that war. But even if it had, and feeling it as he always should feel it, to be a great calamity to be at war with that State, it must be recollected, that if the power of impressment occasioned that mischief, the power of impressment also gave us that naval superiority which we had so gloriously asserted. He allowed, that if a system could be devised which would render the necessity of impressment as small as possible, that system ought to be adopted by his Majesty's Government. On the present occasion, however, he should conclude by moving the previous question.

Mr. *Cobbett* said, that as he could not give his sanction to any expression which might seem to take away his Majesty's prerogative, if the hon. member for Sheffield, had persevered in his original Motion, he should have voted against it. For the modified Motion he should certainly vote.

A division took place on the previous question—Ayes 54; Noes 59: Majority 5.

List of the Ayes.

ENGLAND.
Aglionby, H. A.
Baillie, J. E.
Barnard, E. G.
Bewes, T.
Bish, T.
Briscoe, J.
Brotherton, J.
Chapman, A.
Cobbett, W.
Codrington, Sir E.
Dashwood, G. H.
Ewart, W.
Fielden, J.
Fryer, R.
Halcombe, J.
Hall, B.
Hughes, H.
Hutt, W.
Kennedy, J.
Lamont, N.
Lester, B. L.
Lushington, Dr.
Marjoribanks, S.
Moreton, Hon. A. H.
Philips, M.
Pryse, P.
Rider, T.
Robinson, G. M.
Romilly, J.
Scholefield, J.
Tancred, H. W.
Thompson, Ald.
Tollemache, Hon. A.
Tower, C. T
Tynte, C. J. K.
Warburton, H.
Whalley, Sir S.
Wilks, J.
Williams, Colonel
Wood, Alderman
Young, G. F.

SCOTLAND.
Fergusson, C.
Wallace, R.

IRELAND.
Blake, M.
Evans, G.
Fitzgerald, T.
Lynch, A. H.
O'Dwyer, A. C.
O'Reilly, W.
Perrin, Serjeant
Ruthven, E. S.
Ruthven, E.
Vigors, N. A.
Wallace, T.

TELLERS.
Buckingham, J. S.
Hume, J.

List of the Noes.

ENGLAND.
Althorp, Lord
Attwood, T.
Blamire, W.
Briggs, R.
Brodie, A.
Campbell, Sir J.
Carter, B.
Chetwynd, Capt.
Childers, T. W.
Duncannon, Visc.
Dykes, F. L. B.
Egerton, W. T.
Ellice, E.
Forster, C.
Fox, Col.
Gordon, R.
Graham, Sir J.
Grant, R.
Grosvenor, Lord R.
Henniker, Lord
Hodges, T. L.
Horne, Sir W.
Howard, P.
Knatchbull, Sir E.
Lennox, Lord W.
Littleton, E.
Macaulay, T. B.
Mangles, J.
Palmerston, Lord
Palmer, T.
Parker, J.
Penruddock, J. H.
Price, Sir R.
Pryme, G.
Rice, T.
Ryle, J.
Skipwith, Sir G.
Smith, J.
Smith, V.
Spankie, Serjeant
Steuart, P.
Thomson, C. P.
Trowbridge, Sir T.
Villiers, Lord
Williams, W. A.
Willoughby, Sir H.

SCOTLAND.
Dalmeny, Lord
Elliot, Hon. G.
Grant, C.
Gordon, Capt.
Jeffrey, F.
Kennedy, T. F.
Mackenzie, S.
M'Leod, R.

Ormelie, Earl of	Hayes, Sir E.
IRELAND.	TELLERS.
Copeland, Ald.	Labouchere, H.
Talbot, J.	Wood, C.
Howard, R.	

THE PRUSSIAN TARIFF.] Mr. *Robinson* rose to submit a Motion to the House on the subject of his motion respecting the Prussian tariff. Had Prussia confined herself to her own limits, however onerous her regulations might be to British commerce, he should not have troubled the House on the subject; but the course which the King of Prussia was pursuing, if not unprecedented, was unusual, and he thought it was the duty of this Government to take some notice of it. The Prussian government had imposed onerous duties on British goods, though we had lowered our duties; but, besides this, that government was trying to embrace within its commercial code a large part of Germany, which, if it succeeded in doing, would prove very detrimental to British interests. The Prussian government was trying to extend its custom-house regulations and duties to the Grand Duchy of Hesse, the Electorate of Hesse Anhalt, to Saxony, Bavaria, and Wurtemberg, and in some degree to the Grand Duchy of Mecklenburgh. The effect of this would be to exclude, or to limit, the sale of British manufactures throughout a large part of the German empire. If Prussia chose to adopt this system in her own territories, she was at liberty to do so, but she was endeavouring to ingraft it on states which were, or ought to be, independent of her; and we ought to say to her, " You have no right to enter into adverse treaties with other states, calculated materially to hurt the commerce of this country." He knew that British commerce was exposed to great rivalry from that of foreign states, and he hoped that that rivalry would be met on the part of the British Government by wise and politic measures. He was not the advocate of commercial restrictions or of commercial hostility towards Prussia, on the contrary, he wished to see all nations adopt a system of liberal commerce, as far as was consistent with their respective interests: and if they did not adopt such a system, it would not be because we had not set them the example. He understood that it was the intention of the Government to make some alteration in the duties imposed on timber imported from the Baltic. Now, he conjured the Government, if they contemplated any alteration in the duties on Baltic timber, or in the duties on grain the growth of Prussia, that they would do what other nations, not less sagacious than ourselves, were in the constant habit of doing—that is, that they would obtain for us an equivalent. He admitted, that it was not always unwise to make a concession without obtaining an equivalent, but in this case he should advise the Government to say to Prussia, " After the tariff you have issued against us, you cannot expect from us any further concession." The duties, in fact, imposed by that tariff on British goods imported into Prussia were so high, that in many cases they amounted to a prohibition. But not only had Prussia levied high prohibitory duties upon British produce and manufactures, she had even gone on increasing those duties, whilst we were actually diminishing the duties which we had been accustomed to levy on her produce. Not only had she increased these prohibitory duties, she had also levied a duty on the export of wool; and that export duty on wool was one of the conditions which she wished to impose upon the other states of Germany. Now, he wished the House to consider what the condition of our commerce with the minor states of Germany would be, if Prussia were permitted not only to extend her tariff throughout Germany, but also to impose on every state of the confederation an export duty on wool—a duty which was now only a penny in the pound, but which Prussia had declared her intention of doubling before the next clip. What Government intended to do upon this subject he did not know, but he could not let the Session go by without bringing it formally under the consideration of the House. He believed, that one of the objects which Prussia had in view in this union with the petty principalities of Germany was to force England, by the formation of a commercial league against her, to alter the scale of duties which she had imposed on corn and timber imported from the Baltic. Prussia said, " England has formed a code of her own, prohibiting the introduction into her territories of our grain and our timber. We have no protection against her save by forcing her to an alteration of her system by a combined hostility against her manufactures, which will be most effectually carried on by prohibiting their introduction into Germany." Now, if any change were to be made in the commercial relations of the two countries, that change ought to be made on the principle of reciprocity. America some time ago made an alteration in the duties imposed on French wines imported into her states; she increased the duties, not with the view of raising her revenue thereby, but with the view of protecting her own subjects. The French government called upon America to reduce those duties, and the answer which the French government received was this—"You shall not have this reduction made upon the duties imposed upon your wines, unless you admit our cottons into France at a more favourable rate than that at which they are now admitted." The consequence of this was, that a commercial treaty was made between France and America on the principle of reciprocal benefit; and France admitted American cottons at a reduced duty, in order that America might admit French wines under a proportional reduction. This was so wise a course for a commercial state to follow, that he would assert that any nation which pursued a contrary course, whilst other nations were adopting this wise mode of proceeding, must of necessity soon lose its commerce. We had now arrived at a crisis of great importance. All the states of the world were in motion, and all were pursuing commercial advantages. When he looked at our immense commercial resources,—when he reflected on the start of half a century which we had got over the other nations of Europe in the knowledge of machinery,—when he adverted to our superiority in capital, industry, and skill—he did not view with any alarm the rivalry of foreign nations. He felt it, however, to be a matter of such importance as justified him in calling upon our Government to be vigilant and to look around it, not with a view of imposing restrictions upon the commerce of others, but in order that they might see what advantageous terms they could obtain for the commerce of England. A new kingdom had been recently formed in Belgium: we had, of course, no commercial treaty with Belgium yet, but, if peace should continue, Belgium would become a great manufacturing country, and would be one of the rivals of England; and, therefore, when he knew that America and France were endeavouring, through their Ambassadors at Brussels, to make satisfactory commercial arrangements with Belgium, it would be some satisfaction to him to know that our own Government was also on the alert upon the same subject. He did not call upon our Government to ask from Belgium exclusive advantages for our commerce—such advantages we were not likely to obtain—but he did think, that our Government had a right, considering what it had done to secure the independence of Belgium, to demand that our commerce should be placed on the same footing with that of the most favoured nations. Then, again, there was the change that had taken place in the government of Portugal. He did hope that if the government of Donna Maria should be established in Portugal,—as there was now every prospect that it would be established,—our Government would take care that we obtained from the new government of that country the same advantages which we enjoyed under the old. For there, again, America, one of the most enterprising nations in the world, was endeavouring to obtain advantages for its commerce, which could only be obtained at our expense. This was what America was also doing, or attempting to do, at Naples. There, too, she was following up her usual system of commercial policy. Having a claim against Naples for spoliations committed upon her subjects, under the government of Murat,—finding that Naples was either unwilling or unable to pay the indemnity which had been demanded from her,—America was endeavouring to gain from Naples commercial advantages, which, if conceded, could only be conceded at the expense of England. All these circumstances, combined, made him anxious to hear from the Government a declaration, that it was prepared to abandon the commercial policy which it had so long adopted—namely, to let commerce take its own free course, and to give up the old system of commercial treaties, which, if good for us, were perpetually broken, and, if bad, were of no use at all. He had heard the Vice President of the Board of Trade say, that there was every reason to believe that France was inclined to pursue, in future, a more liberal course in commerce, than she hitherto had done; and the right hon. Gentleman, in vindication of that remark, had instanced her conduct in allowing the export of silk from France, which was previously prohibited. It appeared to him, that this was but a small step towards liberality of commerce, considering the concessions which had been made on our side; and, in the recent conduct of the French government, he saw no hope of its acceding in future to any material relaxation of its commercial policy. There was no reason to hope that France would receive our manufactured goods in return for her wines and her silks. He found the same mode of proceeding adopted in America, and he observed, that the whole of the American tariff was formed to promote her own manufactures. A favourite argument in that House was, that you ought to admit freely all foreign articles, without putting upon them any protection for articles of your own produce or manufacture. He admitted, that the Government had not gone yet to the length of that principle. He hoped, however, that they were aware of the danger which might accrue from pushing that principle too far; at the same time he was willing that they should make every relaxation in favour of foreign commerce, which was not calculated to be injurious to our own. He wished to know first, whether the Government was apprised of the course which Prussia was pursuing, both in her own territories and beyond them, with respect to her tariff of duties; and secondly, whether the Government had taken any steps to counteract the machinations of Prussia. He also wished to know whether the Government was ready to obtain for this country from foreign states, those advantages to which we were entitled in common with our rivals. In moving, that the Prussian tariff be laid on the Table, his object was, that it might be ready for the consideration of Parliament, when they met again next Session. The hon. Member concluded, by moving, "that an humble Address be presented to his Majesty, praying that he will be graciously pleased to give directions that there be laid on the Table of the House, a copy of the Prussian tariff of duties, payable in that kingdom on articles of British manufacture and produce, specifying the alterations made in such duties in the last ten years."

Viscount *Palmerston* did not rise to object to the production of the paper for which the hon. member for Worcester had moved, but to make some observations on the speech which he had just delivered. He could assure the hon. Member that, his Majesty's Government had not been inattentive to those transactions to which he had adverted in the early part of his speech—he meant, to those negotiations into which Prussia had entered with the minor states of Germany, for the purpose of including them all in one common union of custom-houses, and thus freeing the internal communication of Germany from the various impediments to which it was now liable. That determination, if carried into effect, might be prejudicial to the interests of British commerce, for the Prussian tariff was a high one; and if it were intended to extend to all the states of Germany the duties imposed by the Prussian tariff, it might be inconvenient to the commerce of England. He would not go the length of the hon. member for Worcester, and say, that Great Britain had a right to find fault with independent states for the treaties which they thought fit to make with each other; certainly not, on the ground so taken we had no right to interfere. Nor was he inclined to think that the consequences which the hon. Member anticipated as likely to accrue from the negotiations of Prussia would result from them; for though Prussia might fancy that she had an interest in this tariff of high duties, no other state could fancy that it had the same interest in them, and as the same tariff was to apply to all, the common object of the minor states must be to obtain a reduction of the duties of that tariff. The hon. member for Worcester had mentioned, as one instance of the objectionable policy of Prussia, that of which we could not justly complain. He had said, that Prussia had laid a duty of 1*d.* in the pound on the export of wool. Now, till within the last few years, the export of wool had been totally prohibited in England. We were not, therefore, entitled to find fault with the government of a country because it had not kept pace with us in the liberality of our commercial policy. At the same time he had no hesitation in stating, that although he did not think that there was any advantage derived to a country from protecting duties, and though he thought that every restriction on commerce was at least as injurious to the country imposing it as it was to the country against which it was imposed; yet, if any country chose to enter into a fiscal war with us, and to levy high duties either against the produce of our soil, or against the produce of our skill and industry, it might be necessary for us to consider whether it would not be prudent to try the effects of a retaliatory system, which, though it might be injurious to the other country, must be still more injurious to ourselves. He contended that the effect of these restrictive measures could not be attended with that full injury to the commerce of England which some persons supposed. Those restrictive measures might prevent other countries from taking our manufactures, but then, if those countries did not take our manufactures, our merchants could not take their produce. The restrictions on our commerce must therefore prove injurious to their own, if they were effectual; but if they were ineffectual, there was an end to the argument, and we escaped the injury intended to be inflicted on us. If, among foreign governments, there were those who imagined that they could injure our commerce by exposing it to high duties, so long as there were men in that House of high reputation arguing that protecting duties were of advantage to our own artisans, and our own productions, it ought not to be matter of surprise that those governments should adopt their arguments —that they should follow our precepts rather than our practice—and that they should linger on in the old regions of error, which we ourselves had but recently abandoned. He did not think that the governments of Europe were liable to the blame which the hon. member for Worcester had attempted to cast upon them. France had taken a large step recently in imitating our policy. It was only recently that she had removed the prohibition on the export of the article of raw silk—an arrangement which it might have been supposed that the silk manufacturers of France would have strenuously opposed; yet, such of late years, had been the progress of intelligence and knowledge in France, that he believed, that the silk manufacturers of France were most anxious that their Government should remove the prohibition on the export of that raw material on which they employed their skill and industry. He thought that the French government would proceed in the career which it had recently commenced, and that this relaxation of its commercial policy would be followed up by other relaxations of more material importance. The hon. Member had referred to the state of our commercial relations with Belgium. Under existing circumstances, that was a delicate subject for him to enter upon. It would, however, be sufficient for him to state, that in the present unsettled state of the negotiations respecting the independence of that country, we should be guilty of a dereliction of duty, and depart from our usual high and gallant bearing if, while we were negociating for its very existence as a distinct nation, we should seek to obtain from Belgium exclusive commercial advantages. Such conduct would, in his opinion, be most unbecoming. He did not think that we should have any difficulty, when once Belgium was fairly launched into the world as an independent kingdom, in forming commercial relations with her on terms of reciprocity. With respect to Portugal, he must inform the hon. Member, that our treaties with that country had never ceased to exist. Though we had never acknowledged Don Miguel, our treaties with the country of which he had usurped the sovereignty remained in full force. The hon. Member, therefore, need not be under any apprehension that, on the restoration of Donna Maria, we should be deprived of any commercial advantages which we previously possessed. As to the United States, he was not aware that there was anything in their conduct of which we had a right to complain. We had a right to expect that the advantages which we derived from our treaties with foreign countries should not be impaired, but we had no right to dictate to them what terms they ought to make with the United States of America. The hon. member for Worcester had said, that he would not, upon this occasion, discuss any abstract principles of commerce; in that declaration he also concurred; but he could not refrain from telling the hon. Gentleman, that his Majesty's Government had no intention to abandon its present commercial policy. They believed that protection did not give to the country the benefit which its name implied. He could wish that the word "protection" was erased from every commercial dictionary; for instead of protection, it was disturbance; for it interfered with the operations of capital—it was an impediment upon industry—it was a bar to competition, —and it disturbed every kind of commercial relations. He, therefore, told the hon. Member, that he need not flatter himself with the hope that there either had been, or would be, any change in the commercial creed of his Majesty's advisers. He could not sit down without making a short comment upon a very great, and yet a very common mistake into which the hon. member for Worcester had fallen in the course of his speech. Nothing was more common than to say, "Your theories about free trade and liberal principles of commerce are all very good in a new state, but are impracticable in an artificial state of society like that which exists in England. It may be all good in a country not overloaded with debt and taxation to let commerce be carried on at the least possible expense; but if you have a great amount of debt to provide for, and a large sum to raise annually for the payment of the interest of that debt, then the logical inference is, that you must shackle your commerce, you must paralyze your industry, you must cripple your relations with foreign states, and thus, by imposing protective duties on the commodities produced in foreign countries, which duties go as bounties to those who produce the same commodities in your own country, you make every thing dearer than its natural price." The argument, therefore, of the hon. Member resolved itself into this—because you have a great debt to provide for, you must levy upon your people a tax, and a heavy tax too, for every thing which they get from foreign countries; or, in other words, you must prevent them from buying as cheap as they can, and of course prevent them, in the next place, from selling as cheap as they can. This was a simple explanation of the common doctrine, that the principles of free trade might do very well in an infant country, but that they would not do for an old and artificial country like England. He had nothing more to say than that he did not intend to object to the Motion of the hon. Member, and that his Majesty's Government were alive, to use the hon. Member's own words, to all the circumstances of the case to which he had referred.

Motion agreed to.

FORGED NOTES.] Mr. Bish moved, pursuant to notice, for a Committee to inquire into the number and amount of forged Bank of England notes; the proportion of such notes paid by the Bank; the prosecutions for forgery instituted by the Bank, with their result; the steps, if any, taken by the Bank to render forgery difficult, and to protect the public from the circulation of forged notes; also, to consider the most effectual mode of preventing forgeries, and ascertaining the genuineness of notes issued, or purporting to be issued by the Bank.

Mr. *Hume* seconded the Motion. He could have wished it had been made at an earlier period. It was particularly important and desirable to obtain all the information possible upon the subject, now that Bank of England notes were to be made a legal tender, more especially as the Bank of England, unlike other banks, did not make good its forgeries.

Mr. Alderman *Thompson* said, that it appeared, to him that what had been stated by the hon. member for Middlesex formed very good grounds why this Motion should not be agreed to. The information which the hon. Member sought for would do no good, would effect no practical object, and would only promote the wicked ends of those who had been for years practising forgeries on the Bank of England.

Mr. *Warburton* said, that, perhaps, before the bank-note was made a legal tender, it would be found necessary to appoint a Secret Committee to see if a note less liable to imitation could be produced. The House was aware, that, in a former instance, a Committee was appointed for that purpose, of which Sir W. Congreve, Mr. Davies Gilbert, and Dr. Wollaston, were members. They, after much labour and inquiry, produced what they thought an inimitable note, and in two days only the Bank engraver produced an imitation of it that would be sufficient to deceive the public. It was, in fact, much easier to produce an imitation that would deceive, of the intricately worked notes of the private banks, than of the present apparently very plain note of the Bank of England. The public might be assured, that the present Bank-note was the most difficult of imitation that the Bank could produce; for after expending 200,000*l.* upon the subject, they were unable to produce a better one. Yet it was this piece of paper with which the country was to be satisfied as a legal tender. He was certain, that if no other reason operated to do so, the great number of forgeries to which the making that note a legal tender would expose the public, would put an end to that portion of the scheme of the Government.

Motion withdrawn.

Sinecures.] Mr. *Hume* said, that, pursuant to notice, he would now call the attention of the House to the warrant of appointment of Privy Seal in Scotland, and to the offices of Lord Clerk Register of Scotland and Keeper of the Signet. The office of Privy Seal was held by Lord Melville, that of Keeper of the Signet by the right hon. W. Dundas. Circumstances which had arisen since he had first given notice of this Motion had induced him to alter it, and he now intended to move, "That, in accordance with the Resolutions of this House, an humble Address be presented to his Majesty, that he will be pleased to direct an inquiry to be made into every existing sinecure office, or office executed by deputy, wholly or in part, by whatever tenure held, with the view of abolishing the salaries and emoluments of all those where public services have not been performed to deserve the same, and warrant their continuance or modification." This Motion was, as it was expressed, in accordance with Resolutions which had been lately carried by the House on the subject of sinecures. Besides, as the Government had made reductions with regard to some of them, it had as much right and equal power to deal in the same way with the whole of them. There were the filacers appointed in the King's Bench, whose emoluments should at least be greatly reduced, as the authority under which they were appointed was extremely doubtful. There were also various sinecure appointments in the Court of Exchequer, in the Court of Admiralty, and in the office of the Secretary for the Foreign Department, which should be reduced. There was the office of Clerk of Parliaments, held by Sir G. Rose, who had received in the course of the last five years no less a sum than upwards of 28,000*l.* for that sinecure office. The Government had already regulated and reduced some sinecures; why should it not apply the same principle to all of them?—In the case of the sinecure held by Lord Ellenborough that of Chief Clerk of the King's Bench, the nett receipts of which in 1831 were 7,852*l.*—the emoluments of that sinecure were, by Act of Parliament, reduced in the next year to 6,081*l.* At all events, there could be no doubt, that sinecures held at pleasure should be dealt with without hesitation. There were the sinecures of the Chief Justices of Eyre, two of which sinecurists were still living. The whole cost of those particular sinecures to the public, calculated at compound interest, had been no less than 49,000,000*l.* The only wonder was that our debt was not greater. There were the two Beresfords, Storekeepers of the Irish Customs (a complete sinecure), with 4,315*l.* per annum between them. He knew not for what reason such a sinecure had been given. It was plain, that it should be abolished. Then, there were Lord G. Seymour, and Hamilton Seymour, Esq., Craners and Warfingers at Dublin, with 1,251*l.* a-year between them. The office of Keeper of the Privy Seal of Scotland was held now by Lord Melville. In the year 1832, the emoluments of that sinecure office amounted to 3,000*l.* This appointment was made by the late King, when Prince Regent, in the year 1814, and it was doubted by the best lawyers whether he had the power to grant it, at least beyond his own life. Even if such an appointment had been granted by him when King George 4th, a doubt existed as to whether he had the power to grant it beyond the term of his natural life. Such was the opinion of many eminent Scotch lawyers. There was the office of Keeper of the Signet, held by Mr. W. Dundas; for that he received upwards of 2,000*l.* a-year, and he also held the office of Register of Sasines in Scotland, the emoluments of which sinecure, in 1832, amounted to 5,415*l.* It was the opinion of well-informed lawyers in Scotland, that those appointments had lapsed, for the reason he had already stated. He said, he would not trouble the House by going in detail through the long list which he held in his hand; but he was sure, that if he were to state the aggregate sum received annually by the whole of these sinecurists, the House would be astonished at the amount. The hon. Member concluded by making his Motion.

Lord *Althorp* had, on several former occasions, stated his opinion, and he had heard no reason now to induce him to alter it, that it would not be desirable for that House or the Government to take away sinecure offices from persons who might have a life interest in them. He was quite aware, that, by a Resolution carried a few weeks ago, the House came to the determination that these offices ought to be reduced during the continuance of existing interests; but he should object to see the task of reducing them imposed on Government; for such a proceeding would be contrary to the principles on which the Government ought to act. He did not believe, that it would give such a relief to the public as would compensate for the injustice inflicted on individuals; and, therefore, he could not give his consent to the Motion of his hon. friend. He was quite aware of the feeling which prevailed among the public on the subject of sinecures, and to any Resolution having for its object to prevent the grant of a sinecure, or to abolish all sinecures after the termination of existing interests, no one would be more ready than he to give his consent; but, he thought, that House would be acting upon a new and unfair principle if they touched those offices during the lives of the present holders. His hon. friend said, that the Government had, in some instances, abolished offices during the lives of the holders. That had been undoubtedly the case with respect to offices which were clearly offices held during pleasure; but the hon. member for Middlesex must be aware, that, though the words "during pleasure" were inserted in the patents of some of the offices to which he alluded, they were virtually, and had always been considered, offices held during life. He, therefore, did not think, that the mere insertion of these words in the patent ought to induce the Government to act in the way recommended by his hon. friend. He thought, that some inquiry must be made with respect to the offices held by Lord Melville and Mr. William Dundas; but, though he differed from Lord Melville in politics, it was impossible for him to say, that the office held by him was not deserved by public service. Lord Melville had been in the service of the country for a great number of years, and was he not in possession of the sinecure office to which his hon. friend had alluded, he would be entitled to a pension under Act of Parliament. Nothing could be more unjust or more mischievous in principle than that Parliament should act towards persons who had held official situations, and who might either be in the receipt of pensions, or in the possession of sinecure offices, according to the political opinions which those parties entertained. For these reasons he felt it to be impossible to agree to the Motion submitted to the House; but if his hon. friend wanted information, he (Lord Althorp) had not the least objection to allow a Return on the subject to be made out, and laid on the Table of the House by the commencement of next Session. Under these circumstances he should propose the following Amendment:—"That an Address be presented to his Majesty requesting him to direct that there should be prepared, in order to be laid before the House at the commencement of next Session, a Return explaining the nature, tenure, and emoluments of all sinecure offices in the United Kingdom."

Mr. *Cobbett* said, that on the present occasion he should neither vote for the original Motion nor the Amendment; because he thought it was the duty of the House to abolish all sinecures, without calling on the King for his assistance. The House had full power to do this, for it had often resumed grants made by the King out of his hereditary estates, and it could not be denied, then, that it had the power to resume grants of money extracted from the pockets of the people. But in this case the House was not called upon to take any thing away from individuals, but only to cease to give. If the Members of this House were not resolved to abolish sinecures, let them declare that. Let them add that declaration to the rescinding of the Malt-tax, and then their character would be complete. No less than 1,000 persons were lying in gaol for offences against the Excise and Customs' laws; and recently a man had been convicted in the penalty of 100*l.* and sentenced to a year's imprisonment for smuggling nine thirty-second parts of a gallon of brandy. It was the House of Commons that inflicted all this misery, and yet it could not deal with Sir George Rose's sinecure, which had given him and his family as much as 300,000*l.* of the public money.

Lord *John Russell* did not doubt the power of the House to take away these sinecures; but the question to consider was, not whether it was in the power, but whether it was in the justice of the House, to deprive the present holders of sinecure offices of the salaries attached to them. He could imagine that many persons possessing good practice at the Bar had been mainly induced to accept judicial situations in consequence of knowing that, though the salary attached to the offices might not be equal to their expectations, they would have the advantage of being able to give sinecure places to the children. Would it then be fair to take from the sons of any such persons the very sinecures in consideration of which alone those functionaries consented to give their services to the public? It was but justice to the present Government to say, that this was a question in which they had no personal interest. The sinecures alluded to by the hon. member for Middlesex had been given away by their political adversaries. He did not know of any power possessed by the present Government to confer a sinecure on any one individual; and their resistance to the Motion of the hon. Member proceeded, not from any desire to retain this particular species of patronage, which was indeed abolished for the future, but from a sense of justice. He thought the Motion of the hon. member for Middlesex an unnecessary anticipation of one given notice of by the hon. member for Dublin for the next Session, and he looked upon it as a sort of attempt to filch a little popularity from that hon. Member.

Mr. Hume withdrew his Motion, and Lord Althorp's Amendment was agreed to.

Tithes—Stay of Suits.] Mr. *Blamire* moved for leave to bring in a Bill to amend an Act passed in the last Session of Parliament, intituled "an Act for shortening the time required in claims of *modus decimandi*, or exemption from a discharge of tithes." He was induced to bring forward his Motion by an anxious desire to allay the irritation which the recent prosecutions of the clergy under the Tithe Modus Act had generated; and which would be a serious obstacle to the introduction, next Session as he trusted, of a general measure for the abolition of the tithe system in its present form altogether. At that late hour he would only observe, that his Bill was not intended to at all interfere with Lord Tenterden's Act in its general operation; and was only meant to suspend the workings of a particular provision of that Act till the end of next Session, before which period Ministers and the House would have full time for considering and bringing the tithe question to a satisfactory issue. He proposed, that all the prosecutions which his measure would suspend, should, at the end of the next Session, be placed in precisely the same situation they were at present.

Lord *Althorp* begged leave to remind the House of the circumstances which had led to the present Motion. It should be remembered, that Lord Tenterden introduced a Bill into the House of Lords for limiting the modus of tithes at sixty years; that is, that when tithes were possessed for sixty years in any district without ejectment, that that modus should constitute a right by prescription. That Bill came down from the Lords to the Commons. It contained a clause which gave the clergy three years of grace, within which they might set aside any moduses which were wrong That clause was considered by the House as highly objectionable for reasons then stated, and which experience had unfortunately shown to be too valid; and accordingly an Amendment for striking it out of the Bill was carried; the Bill, thus amended, was sent back to the Lords, who, however, after some discussion, carried an Amendment upon the Commons' Amendment, to the effect of shortening the period of grace within which the clergy might set aside a modus to one year. It was under this provision that the prosecutions against which the hon. Member's Bill was directed were undertaken. He regretted, that they were so. He must say he was, when he considered the state of public feeling throughout the country in reference to the expenses of the Church Establishment, surprised that any members of that establishment could be induced to institute a series of actions which must, in his (Lord Althorp's) opinion, tend to affect the very existence of the establishment itself. As an honest friend of the Church, he viewed these prosecutions with the greatest possible regret. But the question was, how they should best meet the difficulties of the case. It was to be considered, that an Act of Parliament certainly authorised these prosecutions, and that many of them might be founded on just grounds, that is on a good modus right; so that he should feel great unwillingness to agree to an *ex post facto* law for undoing what had been done under a former Act of Parliament. If the question were put to him, "Will you agree to a Bill for doing away altogether with the legitimate consequences of Lord Tenterden's Act of last Session?" he should undoubtedly feel great difficulty in giving a satisfactory answer. Fortunately, however, the form and scope of his hon. friend's Motion relieved him from much of this difficulty, for his hon. friend only proposed, that the prosecutions should be suspended till the next Session, with the hope, that in the mean time some general measure of Tithe Reform would have received the sanction of Parliament. He, therefore, felt that the best course he could pursue was, not to object to his hon. friend's Motion, not thereby pledging himself to sanction its provisions.

Leave was given. Bill brought in and read a first time.

HOUSE OF LORDS,

Friday, August 16, 1833.

MINUTES.] Bills. Read a second time:—Notaries Public; Fines and Recoveries; Lunacy Commissions.—Committed:—Royal Burghs (Scotland); Grand Juries (Ireland).—Read a third time:—Parish Apprentices; Militia.

Petitions presented. By Lord KENYON, from several Places, in favour of the Factories' Regulation Bill.—By the Marquess of LANSDOWN, from Glasgow; and by the LORD CHANCELLOR, also from Glasgow, for Extending to that Place the Provisions of the Royal Burghs (Scotland) Bill.

POST OFFICE.] Lord *Ellenborough* presented a Petition from persons interested in the trade with the United States, praying for an emendation of the laws relating to the inland postage charged upon letters going from the metropolis through Liverpool and the other out-ports to the United States. The statement of the petitioners was, that they had hitherto enjoyed the privilege of sending such letters otherwise than through the Post-office, but that lately the Postmaster General had enforced the laws on the subject, and done away with the practice. He did not, indeed, see how the noble Duke (the Duke of Richmond) could do otherwise according to the existing laws; but it was most desirable that the utmost facilities should be afforded to the transmission of letters.

The Duke of *Richmond* had been anxious that a petition of this kind should be presented, that he might have the opportunity of explaining the circumstances and motives which had caused him to pursue the course to which the noble Lord had referred. He must admit that there was no duty more imperative upon the Postmaster General than that of giving every possible facility to the mercantile intercourse of the country; but the prayer of these petitioners was that they might be permitted to send letters for the United States through Liverpool or the other outports, without going through the Post-office; and he must say, that he thought that compliance with their prayer in this respect would lead to considerable loss to the revenue. If the privilege in question were granted to the merchants of London, there could be no reason why the Manchester and Birmingham merchants, and the merchants in all other parts of the kingdom, should not exercise it also: and the consequence of conceding the principle would be, that of giving up in future of all such postages upon letters going abroad. It was not true that the Post-office had neglected to forward mail bags by the fast-sailing ships. In the last year 4,888 ship letters had been forwarded from London, and from Liverpool 1,220 had been sent. Nor was it true that the privilege of sending letters by other conveyances than those provided by the Post-office had been possessed by the merchants of London during twenty years. The question was whether or not letters should be sent by these merchants by stage-coaches, instead of through the Post-office, and if a Post-office was to exist at all, he (the Duke of Richmond) did not see why these petitioners should be favoured to the exclusion of others. If the House were prepared to say, that a tax upon letters should no longer exist, of course he must bow to their decision; but if taxes were to be reduced at all, other branches of the revenue might be found in which the advantages of reduction would be more considerable. He could not sit down without observing, that attacks had lately been made in another place upon the department at the head of which he was, to which he had not had the opportunity of replying. He had made the most ample inquiries, however, on the subjects to which those attacks referred, and were it not that as a Peer he could not there reply to arguments used in the other House, he was in a situation to contradict and correct statements made by the hon. member for Greenock, respecting which he must say, that he did not think he had been treated by that hon. Member with the candour which one Gentleman had a right to expect from another.

CHINA TRADE.] Lord *Auckland* said, that this Bill came within the Standing Order relative to Bills concerning trade, and therefore he moved, that it be referred to a Select Committee.

Lord *Ellenborough* concurred in the Motion, and he was anxious to draw the attention of the House to a particular clause in this Bill, with regard to which he should feel it necessary to move an instruction to the Select Committee which the noble Lord was about to propose. It had been a long-established custom of that House to waive any inquiry respecting anything relating to the imposition of taxes in Bills that came from the other House of Parliament. That such a forbearance on the part of that House on all occasions, and under all circumstances, was for the public benefit, appeared to him to be rather doubtful, but at the same time he would admit, seeing how long the custom had existed, that it should not be proposed to their Lordships to depart from it, unless under very extreme circumstances indeed. Cases, however, might occur in which it would be the bounden duty of their Lordships to interfere for the protection of the public interests, and the constitution of Parliament. Now, such an extreme case appeared to him to occur in this Bill. In this Bill the power of levying taxes was delegated to the King in Council, without any limitation whatever. The King in Council was empowered under this Bill to appoint officers at Canton, with powers that were not specified, to give them such salaries as he might choose, and those officers would have the power of levying what duties they pleased upon the goods of his Majesty's subjects trading to Canton. They would have the power of levying those duties in a foreign country—in China. He was not aware of any such instance of legislation on the part of the Parliament of this country, and with a view to discover whether there had been any similar instance of legislation, he would move that it be an instruction to the Committee to search for precedents for the purpose of ascertaining whether that House had ever passed a Bill delegating to the King in Council the power of levying duties on his Majesty's subjects. It would be found on looking at the probable amount of those duties that this was no trifling matter. The expense of the proposed Superintendents at Canton, with the Judge and the officers connected with his Court, would be likely to be about 27,000*l.* or from that to 30,000*l.* per annum. Now, the trade between the port of Canton, India, and this country, would not for some time, at least, exceed 54,000 tons annually. This expenditure, therefore, would cause the imposition of a duty of 10*s.* a-ton on that trade—that was to say, as the vessels trading there generally averaged 300 tons, that his Majesty would be empowered to levy a duty of 150*l.* each on the vessels so employed. He could not avoid expressing his surprise that a clause of this kind should have been passed in the present House of Commons, the more especially as so many persons interested in the trade and commerce of the country had been by the Bill of last year introduced into that House. They had been told, that on account of the introduction of such persons, they might expect greater vigilance and attention in the present than in all former Parliaments to the rights of the people and the privileges of their Representatives; and it was, therefore, not a little extraordinary that in the first important measure that had been passed by the present House of Commons a power was given to the Crown, without any limitation whatever, which had never been given to it by any former Parliament —the power of levying taxes according to its discretion on the subjects of the Crown. Of this he was certain, that there was not one of the constituents of any of the members of the present House of Commons that ever intended that such a power should be delegated to the Crown.

Lord *Auckland* said, that he was as much surprised as the noble Lord that the clause in question contained no limitations. In the clause as it stood in the Bill when originally introduced, the power proposed to be given by it was limited, and why that limitation had been afterwards omitted he did not know. In introducing those Superintendents as a substitute for officers that had through usage exercised similar powers at Canton for a long period of time, it was thought necessary, for the protection of the public interest, and the interest of trade, to give a very large discretionary power to the Government on the subject. In the Committee which he was about to propose, he should introduce a clause for limiting in some degree that power, and, therefore, it would be unnecessary for the noble Lord to persevere in his Motion for an instruction to the Committee to search for precedents, as no precedent of the kind could certainly be found.

Lord *Ellenborough* would, under such circumstances, withdraw his Motion.

Lord *Auckland* remarked, that the noble Lord was correctly informed when he estimated the expense of those Superintendents at from 27,000*l.* to 30,000*l.* per annum, but he believed that a duty of 10*s.* upon every 100*l.* worth of goods would be sufficient to meet the expense.

Bill to be referred to a Select Committee.

HOUSE OF COMMONS,

Friday, August 16, 1833.

MINUTES.] Papers ordered. On the Motion of Mr. BLAMIRE, the Names of the Parishes respecting the Tithes of which Suits have been commenced in the Courts of Chancery and Exchequer, in the year beginning August 16th, 1830, to August 16th, 1833.—On the Motion of Sir EDWARD CODRINGTON, Copies of Warrants by which Prize Money was granted to the Crews of his Majesty's Ships after the Battle of Copenhagen, &c.—On the Motion of Mr. HUME, a Return of the manner in which the 25,000*l.* voted in 1832 for the Support of Captured Negroes and Liberated Africans was Expended: also the Application of the Vote of 1832, for the benefit of Individuals of different Persuasions in Canada and other British North American Colonies: also the Names and Residences of British Consuls and Vice-Consuls, with their Emoluments.—On the Motion of Mr. SPRING RICE, the Number of Persons Imprisoned in Great Britain or Ireland for Offences against the Revenue Laws, on August 15th, 1833.—On the Motion of Mr. VERNON, an Account from the Inspectors of Corn Returns of the different Measures used in selling Corn in Great Britain and how the Amount of Duty on Imported Corn is ascertained in the different Ports.—On the Motion of Mr. RUTHVEN, the Receipt and Expenditure of the Central Board of Health for Ireland: the same from the General Board of Health for the City of Dublin.

Bills. Read a second time:—Buckingham Palace Furniture. —Read a third time:—Factories' Regulations.

BOARDS OF STAMPS AND TAXES.] Mr. *Spring Rice* moved the Order of the Day for the House to resolve itself into a Committee of Supply.

Lord *Granville Somerset* was sorry to be obliged to call the attention of the House to the consolidation of the Boards of Stamps and Boards of Taxes. He did not object to their consolidation, nor to any saving which could be effected by such an arrangement; but he was confident, from the papers laid before the House, that the saving might have been much more extensive than it had been. He was of opinion, that, in all consolidations of departments, there should be one invariable rule, viz., that if the persons in those departments were fit for their public duties, fresh and inexperienced persons should not be introduced. But, in the present instance, setting aside the claims of the old officers, Government had appointed an individual (Mr. John Wood) who was never before in the public service. There were the Chairmen of the two late Boards (and to those he would confine himself), who had long filled their offices with the greatest credit to themselves. One (Mr. Mitford) had held the situation for thirty-six years, and was still in the enjoyment of health and vigour of mind and body, and would still be as serviceable as any other person could be. His appointment by the late Lord Liverpool was against his own wishes, but he was selected by that noble Lord for his great experience and knowledge of business. On what grounds, then, was he superannuated? It might be said there would be an objection by Mr. Mitford to serve under Mr. Thornton, the Chairman of the other department, or *vice versa;* but would the noble Lord (Althorp) deny, that a correspondence had taken place with the Treasury upon that very subject, and that Mr. Mitford had expressed his unwillingness to retire? Even if he had wished to retire, why was the public to pay so largely for the arrangement? His superannuation allowance was not beyond his merits, but it was enormous, and one that, from the present state of his health, he was likely very long to enjoy. The noble Lord, to effect this arrangement, had made the public pay 840*l.* a-year more than they would otherwise have had to pay, besides having an inexperienced individual appointed to perform the duties. He feared there must have been some unexplained anxiety, on the part of his Majesty's Ministers, to get rid of old officers and appoint new ones. The papers which had been produced in consequence of the Motion he had made, did not contain the replies to some of the queries which had been put by the Treasury, and, therefore, he (Lord G. Somerset) was left in the dark as to the motives by which the Government had been actuated, and as to whether the thing had been done in concurrence with the feelings of Mr, Mitford. It was curious, that the instant Mr. Mitford was put on the superannuation list, he received an application from another department, and, for aught he knew, was now receiving another salary for less onerous duties.

Lord *Althorp* said, that the savings effected were not confined to the consolidation of the chief Boards, but were much larger, by the consolidation of the collection of taxes, under the same Board. He begged to say, that the replies to which the noble Lord had referred, as being withheld, were entirely confidential communications. He had recommended Lord Grey to select

Mr. Wood, not because he was a supporter of Ministers, for no man could say that gentleman's conduct had been at all subservient to their purposes,—but he had recommended his selection on account of his consistency of conduct, general ability, and because, although not following his Majesty's Government, he possessed their most entire confidence. In consolidating the Boards, the Government had not only to calculate the amount of saving which might be made directly in salaries, but also whether the persons to be appointed were most likely to effect the general savings in the most efficient manner. It had been proposed to Mr. Mitford, that he should remain in the situation with the same salary as he had received before; but it was necessary that the person at the head of the Board should be in the habits of confidential communication with the Government. He concurred in the encomiums passed by the noble Lord on Mr. Mitford; but he should do very wrong if he were not also to award the same meed of praise to Mr. Thornton, who had also retired. No man was more ready than that gentleman in promoting the wishes of the Government. It was not for the purpose of acquiring any patronage Mr. Wood had been appointed; the Government merely wished to have, at the head of the consolidated department, a gentleman with whom they could co-operate, and who was well known for his independence and ability. The saving by the change would be greater in the country than within the immediate department in town.

Mr. *Hume* said, the question was, whether the consolidation was proper,—and whether the Government were justified in making a reduction of expenditure, from 11,500*l*, to 5,000*l*.? If the noble Lord was satisfied the duties could be performed at less expense, he was perfectly warranted in doing it; but he thought the noble Lord might have gone considerably lower. He had proposed a plan by which two Commissioners were to have done the whole duty; and he was satisfied, if it had been left to him, that he would have procured some of the ablest men in England to do the duty, and at a much less expense. If there was any one thing that he complained of in his Majesty's Ministers, it was, that they were not strong enough: they were (to make use of a word in a petition that had been presented yesterday) imbecile. He knew they had much to put up with, and he blamed them for not exercising the power that was vested in them towards certain Lieutenants of Counties, who had made use of their authority, as representatives of the Crown, to political purposes.

Mr. *Harvey* expressed his approbation of the course pursued by his Majesty's Ministers with reference to Mr. Mitford. In his opinion, however, the most important subject for the House to consider was, the great allowance that had been made to a retired public servant, when that servant was perfectly able to discharge the duties of his office. If Mr. Mitford was not approved of, surely he might have filled a subordinate office. If a horse was not fit to run at Newmarket, his owner might start him for an inferior plate; and, if he was unsuccessful, he would then do for a London cab. But it would be absurd to say, because he could not start for the Derby, that he was only fit for superannuation. He thought great blame rested with the Government in not appointing individuals who already stood in the pension or superannuated list, where such a course might be pursued without detriment to the public service. He was acquainted with a gentleman who had a retired allowance of 400*l*. per annum, and who applied to be appointed a charity commissioner, with a salary of 800*l*., by which the public would have been saved 400*l*. a-year, but was refused the appointment. Many individuals were similarly circumstanced, and he earnestly recommended the noble Lord to have an alphabetical list of all pensions and superannuations, and, before any appointment was made, to cast his eye over it, and see if a saving might not be effected by giving the situation to a person whose name appeared in the list.

Mr. *Warburton* said, if Ministers had expelled the heads of establishments for the purpose of introducing their own particular friends, they certainly deserved the most signal censure of that House; but as, in the present instance, they had only superannuated an individual who was politically opposed to them, and had placed in his situation a person of talent and respectability, who would cordially co-operate with them in effecting that extensive reform and reduction of the public burthens which had been so loudly called for, he thought they ought to receive the approbation of all parties; and he contended it was quite impossible they could do anything else, in justice to themselves, than appoint an individual for that purpose in whom they had the most implicit confidence.

SUPPLY — MISCELLANEOUS ESTIMATES.] The House resolved itself into a Committee of Supply on the Miscellaneous Estimates.

The following votes were agreed to without discussion:—12,275*l.* 12*s.* 3*d.* to make good the deficiency on the Fee Fund for the Colonial Department; 13,500*l.* for the Fee Fund of the Privy Council; 2,000*l.* on account of salary to the Lord Privy Seal; 7,500*l.* for contingent expenses and Messengers' bills in the Treasury Department; 6,284*l.* for contingent expenses and Messengers' bills in the Home Department; 39,600*l.* for contingent expenses and Messengers' bills in the Foreign Department; 50,600*l.* for contingent expenses and Messengers' bills for the Colonial Department; 5,453*l.* for contingent expenses and Messengers' bills for the Privy Council; and 4,366*l.* for contingent expenses and Messengers' bills for the First Lord of the Treasury, the Chancellor of the Exchequer, &c.

On the Motion, that a sum not exceeding 1,264*l.* be granted to defray the expenses of salaries and allowances to certain Professors in the Universities of Oxford and Cambridge,

Mr. *Warburton* said, he had no objection to the grant, if there were no University surplus funds that were available to this object.

Mr. *Pryme* supported the grant, because the Universities had no funds applicable to this purpose.

Mr. *Ewart* objected to the grant, on the ground of the exclusiveness of the Universities. If dissenters were admitted, they would have much pleasure in agreeing to a much larger sum.

Mr. *Spring Rice* said, that the admissibility of dissenters into those Universities was the opinion—he could not say of the majority, but—of a great mass of the residents at the Universities. It was a growing opinion, and there was every probability, before Parliament met, that it would be a matter of discussion in the Universities. They ought, however, to be left to take their own steps on the subject, lest compulsion might defeat the important object in view.

Mr. *Potter* could mention to the hon. member for Cambridge a method of increasing the funds of the University, namely, to admit the sons of dissenters to participate in the honours of science and literature. At present, as was well known, a dissenter could not send his son to either of the Universities, for, before they could take a degree, it was absolutely necessary that they declared their adherence to the doctrines of the Established Church.

The vote agreed to. The House resumed.

It being three o'clock, the House adjourned; and, in the evening sitting, again went into a Committee of Supply.

On the Motion, that 70,875*l.* for the salaries of Consuls-General, Consuls, and Vice-Consuls for the ensuing year, be granted,

Mr. *Hume* observed, that the contingent expenses connected with this grant amounted to 6,500*l.* which was charged for the moiety of expenses incurred for chaplains, chapels, hospitals, and burial-grounds, in foreign countries. He had reason to doubt whether this was a wise grant. He understood that clergymen who had livings in this country, but were residing abroad, were in the habit of getting representations signed by the English residents in those countries, stating, that if the Government would pay one moiety of the expense of employing a chaplain to perform divine service for them, they would themselves pay the other. He was likewise informed, that when Government consented to pay one moiety, the English residents abroad refused to pay the other; but the clergymen did not complain of this, as their object was answered by obtaining the grant from Government. He thought, that the Committee ought not to lend itself to this plan of enabling our countrymen to live comfortably in exile abroad. At Lisbon, Rio de Janeiro, and some other places, where we had consuls, the expense of providing a chaplain was defrayed by the English merchants of those places. He thought, that that should be the case generally. He was happy to find, from the statement annexed to this estimate, that the noble Lord had not filled up certain consulships which had become vacant, because they were not wanted, that he had reduced the salaries of several vice-consuls, and that he had promised to reduce still more as opportunity offered.

Viscount *Palmerston* said, that he could have no interest in making such appointments in places where chaplains were not wanted. He always took the recommendation of the residents at the place, liable, however, to the Bishop of London's approbation of the professional character of the chaplain recommended. A chaplain was appointed at every place where a consul was resident, under the notion that the existence of a sufficiently extensive British community to require a chaplain, was proved by the fact of a consul being appointed by the Government to watch over their interests. He made a point of seeing that the moiety subscribed by the British residents was paid to the chaplain before he granted a farthing to him out of the public revenue. It was the intention of Government to withdraw consuls from all places where they were not required; and, as a proof that that intention was not to waste itself in mere words, he instanced the three consuls whom he had withdrawn from ports in the United States. The Committee would scarcely believe how numerous the representations were which he received from the mercantile part of the community, demanding that consuls should be appointed in places where they did not exist at present. He wished it to be distinctly understood, on the one hand, that he would not hesitate to withdraw consuls from those places in which they were not wanted; and, on the other hand, that he should not be reluctant to appoint new consuls in those places where a new distribution of trade rendered them necessary.

Mr. *Cobbett* objected to paying the consuls by salaries instead of fees. When they were paid by salaries, the consuls were generally absent from their posts, and took no interest in the business of the merchants trading with the port at which they were stationed. It was quite different when the consuls were remunerated by fees proportioned to their activity in the discharge of their duties. He also wished to be informed whether there were any chaplains attached to the consulships which we had in the United States?

Viscount *Palmerston* asserted, that the statement which had just been made by the hon. member for Oldham was not warranted by fact. The consuls might sometimes be absent from their post, owing to ill health, or to family circumstances, but generally they were at their posts, performing the duties with which Government had intrusted them. He defended the system of salaries, and contended, that it was better to throw the charge of keeping up our consular establishments upon the general revenue, than upon the private commerce of the country. He was not aware that any payment was made by Government, on account of chaplains employed in the ports of the United States.

Mr *George F. Young* rose to ask why so high a salary as 1,500*l.* a-year was paid to our Consul General at Hamburgh? The salary paid to that consul was higher than the salary paid to any other of our consuls, save those employed in the states of South America, whose emoluments were high beyond all proportion.

Viscount *Palmerston* said, that the Consul General at Hamburgh was also a diplomatic agent to the Hanseatic towns. In point of fact, he was more of a diplomatic than of a commercial agent; and his salary was fixed more in reference to the salaries of the diplomatic servants than to those of the commercial agents of the country. The hon. Member had adverted to the salaries paid to our consuls in South America, which he had denounced as extravagant and enormous. Now, the hon. Member ought to recollect that in countries where the precious metals were produced as they were in South America, money was of less value, with regard to commodities, than it was in this country. He must take that opportunity of saying, that he had inquired into the case of the reverend Thomas Penrose, who was receiving a diplomatic pension, and who had formerly been attacked by the hon. member for Oldham. That gentleman had served his country, from the year 1791 to the year 1820, in a diplomatic capacity. He had served in Russia, in Prussia, and in Italy; and, during his residence in Italy, he had the good fortune to render a very signal service to the commercial interests of this country. By the timely intelligence which he had, some how or other, obtained of the movements of the French troops, and which he instantly communicated to our merchants at Leghorn, he enabled them to carry off property to the amount of 500,000*l.*, which would have been lost within twenty-four hours afterwards, if that intelligence had not been given them. Mr. Penrose at that time was not in orders, and it was not until he had quitted the diplomatic service that he had taken orders.

Mr. *Clay* said, that, high as the salary of the Consul-General at Hamburgh was, it was not so high as the salary of the Consul-General at Morocco, or at Algiers, or at Tunis. The two first of these consuls had 1,800*l.*, and the last 1,600*l.* a-year.

Viscount *Palmerston* said, that the salaries given to our ministers were not more than would enable them to live respectably and decently in that society in which they must move, in order to perform well the duties assigned to them. As to the American ministers, he would say, that they got a double salary for the first year, to meet the expenses of the outfit,—that was, they received three-years' salary for two years' service, after which time there was generally a change of ministers; but it had been admitted by the American Secretary for Foreign Affairs, that the ministers from that country to other states were underpaid.

Mr. *Cobbett* thought that the average service of the American ministers was four years. They were, in general, very clever men, and it was proved in their cases that high salaries were not necessary to the efficient performance of the duties of Ministers. At the same time he did not wish to see our foreign ministers underpaid. As to the case of the reverend Mr. Penrose, it appeared from the returns before the House, that he was Chargé d'Affaires only from May to October, 1800. That was only five months, though the noble Lord had said, that he had been in the public service twelve years. If the return was wrong, it was not his fault. He should like to know when he became a clergyman. It was certain he had been receiving the incomes of two livings for twenty-years, besides his pension.

Mr. *Hume* remarked it was strange, that though the services of this Gentleman had been performed before 1800, he had not received his pension till 1812.

Lord *Palmerston* said, that he knew no more of it than from the documents which he found in his office. Amongst those was a letter from Mr. Wyndham, in which he stated that Mr. Penrose had been his private secretary for ten years, during which he was engaged in diplomatic missions. It was not stated that he had been Chargé d'Affaires more than the time stated in the return.

The Motion agreed to.

On a Resolution, that a sum not exceeding 13,150*l.* be granted for the salaries and expenses of the Commissioners of public charities to 1834,

Mr. *Tooke* objected to the amount of this vote. The Commissioners had a salary of 800*l.* each, besides an allowance for travelling expenses. He thought that if those large allowances were continued, it would protract the business of the commission to an immense extent. These commissioners had already cost the country upwards of 50,000*l.* [Mr. *Hume:* Ay, more than 150,000*l.*] That would afford a still stronger ground for limiting the expenses. He would, therefore, propose to reduce the vote by the sum of 2,500*l.*, so as to cut off the travelling expenses.

Mr. *Hume* would suggest to his hon. friend to take a different course, and to object to the vote altogether. He did not see why the country should be called upon to pay these Commissioners 800*l.* a-year each, when the same number might be selected from retired Commissioners of several departments who were now receiving retiring pensions. There were, for instance, the seven retired Commissioners of Stamps, who were as well able to perform public duties as he was, and better. These Commissioners, it was found five years ago, could not agree as to the manner of discharging their duties, so that three of them could scarcely be got together to perform the public business. Instead of dismissing the whole, as it would have been perfectly right to do, the late Government pensioned them all off on retiring allowances, and appointed seven more in their stead, though three would have been found abundantly sufficient to do the business. Now, what he would suggest was, that the Commissioners of charities, and Commissioners for other purposes which might become necessary should be selected from such retired public officers, and thus an immense saving of expense would be made, and the business be as well done.

Mr. *Spring Rice* said, that the appointment of these Commissioners of charities was by Act of Parliament, and therefore the Government could not be blamed for continuing them. They had done what they could to lessen the expense over which the Treasury had control, by diminishing the salaries from 1,000*l.* to 800*l.* each. He admitted the principle laid down by his hon. friend, that where the Government could find amongst the retired public servants men competent to the discharge of important public duties, they should select them instead of appointing men who had not before been employed and the Government had acted upon that principle by selecting 700 persons who had retired on allowances, and giving them appointments, by which a considerable saving had been made to the public but it did not follow that a retired public officer was always competent to fill new situations which might be required. A man, for example, might have been a very efficient Commissioner of Stamps, and not fit to be appointed a Commissioner of public charities. He would admit that amongst the retired

Commissioners of Stamps, there was one individual of whose great learning and talents he could not speak too highly, but this could not be said of all retired Commissioners.

Mr. *Harvey* thought, that 800*l.* a-year could not be considered too much for barristers who gave up their practice as such, in order to attend to their duties as Commissioners; but in the present case, he thought the Commissioners were more than paid for what they did; for, in fact, in their circuits through the country, they consulted more their own bodily disorders than they did the business for which they were paid. There were already about sixty volumes of Reports, and yet there were few, if any, counties, in which the inquiry was completed. If one wished to examine into the charities of any particular county, he had to search for them through many volumes, where parts appeared. The cause of this was, that instead of taking one county, and going through with it, they spread themselves from time to time over several counties, according as their bodily necessities or their tastes dictated. When they met in London, one said, "I should like to be this year in the neighbourhood of Harrowgate, the waters of which will be good for my scrofula." Another desired to take advantage of the hot wells of Buxton, and a third would like to avail himself of the bracing air of Brighton; and in this way the inquiries were disjointed, and would cost the country an immense sum before they were completed. They had already cost the country a quarter of a million. It appeared from the inquiries already made, though half the counties of England had not yet been gone through, that the sums applicable to education in those counties in which inquiries had been made amounted to 600,000*l.* a-year, and that there were 2,000,000*l.* of money in the hands of trustees. This was a sum which, if properly inquired into, and prudently applied, would be fully sufficient to give education to every child in the country, without any additional expense.

Amendment withdrawn, and vote agreed to.

On the question, that 55,967*l.* be granted to his Majesty for defraying the charges of retired allowances, and superannuations of persons having been employed in public offices, and in the public service,

Mr. *Clay* was of opinion, that the system of retired allowances and superannuations was so radically bad, that no improvement could be made in it. He disapproved of allowances to persons, no matter in what service they had been, whether in the army or navy. The principle should be given up, and nobody should be paid except those who were efficient, and actively employed. He did not wish that existing interests should be touched, but he wished to see a prospective plan laid down on the principle he advocated.

Lord *Althorp* wished it to be known, that in every appointment made by the present Government, a special agreement had been made, by which five per cent was deducted from the salary of the office towards the Superannuation Fund; and, further, that persons accepting those offices should be subject to any arrangements to be made by Parliament regarding both salaries and superannuations.

Mr. *Hume* asked why a superannuation allowance had been given to a Mr. Brownrigg?

Mr. *Spring Rice* said, that with regard to Mr. Brownrigg, he had been Secretary of the Inland Navigation Board. The Government had considered it expedient to abolish the office, and it was on that account he had been allowed 300*l.* a-year. He (Mr. Rice) was convinced, that in place of this allowance being a burthen to the public, it was a saving. The officers of the Inland Navigation Board were not entitled to a superannuation allowance, because their duties were of a temporary nature; but in this case Mr. Brownrigg had been appointed to the office thirty-three years ago. At the time of his appointment, he was a civil engineer in good practice, and was obliged to abandon his profession on taking the situation, and at the age of eighty-four he was allowed this retiring allowance. In all other cases the officers of this Board had been refused any allowances, although strong claims had been made in behalf of some of them. But when they found a man who had abandoned his profession for the service of the public, and had continued in that service for thirty-three years, could they permit him, when the office was abolished, to be left perhaps to starve, at his advanced age? In this case, too, there would be no additional expense put on the country, but only a small diminution of the intended saving. He thought the House would be of opinion, that the Government had not done wrong in this case; and he felt convinced, that the statement he had made of the services of Mr. Brownrigg would be satisfactory both to the House and the country.

Mr. *Hume* was ready to admit any just claim of humanity, especially when attended with length of service to the public; but he had been informed, that Mr. Brownrigg was a man of independent fortune.

Mr. *Edward Ruthven* said, that Mr. Brownrigg kept his carriage, and lived in good style, and had been agent for some years for the Marquess of Downshire.

Lord *Althorp* said, that if Mr. Brownrigg were found on inquiry to be in the circumstances stated by the hon. member for Kildare, his allowance might still be rescinded. He wished to explain to the House the system which he had followed in regard to the abolition of offices. There were two ways in which they could be abolished. The one was by waiting till the office became vacant by the death of the person holding it; the other, by abolishing the office at once, and making an allowance to the person who held it, for the loss of his situation. The course which he had followed was the latter. He wished the public to have a part of the benefit of the abolition at once; and the course had another good effect—it prevented all danger of the office being filled up when it did happen to fall vacant.

Mr. *Robinson* said, that if the system of granting superannuations were abolished altogether, persons holding offices would then save as much out of their salaries as would make a provision for their old age, but that as long as the system of granting them in any cases was followed, claims would continue to be made, which, in some cases, it might be difficult to withstand. He hoped, that superannuations would be done away with altogether.

Sir *James Graham* had already stated his intention of bringing forward a Bill on this subject next Session. He hoped, therefore, that the business would not be delayed any longer by a continuance of the discussion, as the Session was near its close, and much business had yet to be done.

Mr. *Cobbett* said, that the Estimates ought to have been brought forward in the middle of the Session.

Lord *Althorp* approved of their being brought forward early in the Session, but circumstances had prevented the Government from bringing them forward at an earlier period of this Session.

Sir *Edward Knatchbull:* I hope, then, that we are to understand, that no circumstances will again prevent the Government from bringing them forward in the early part of the next Session?

Vote agreed to.

On the Motion to grant a sum of 56,000*l.* for printing the Acts of Parliament, &c.,

Mr. *Hume* was glad to observe the immense saving that had taken place in this department, and he was happy to have the opportunity of giving the Government the credit of it. The thanks of the country were due to the Government for what they had done, and if some recommendations which had been given to the Government were acted on, a much greater saving might yet take place. Acts of Parliament which had before cost 4*d.* a sheet, were now to be had (and the circumstance ought to be universally known) at 1½*d.* a sheet. The consequence was, that the cost of delivering these Acts of Parliament to the Magistrates was much diminished. By the way, he objected to the continuance of that system of delivering copies of the Acts of Parliament to the Magistrates. He was not satisfied that they were fairly delivered. There was no evidence given of the arrival of the copies, and, for aught that was known, all that money might be thrown away. He thought it should be left to the Magistrates to provide themselves. He hoped, that the precedent which had been set, with reference to Acts of Parliament, would now be followed with regard to Parliamentary Papers, and that they would be sold, for the money thus obtained would be a great saving to the public. There was another head of expense to which he wished to call the attention of the House. It was that of printing the Journals of that House. There were now 62,000 volumes in store, not one-half of them was ever used, and yet the expense of reprinting them amounted to no less a sum than 89,000*l.* He hoped the Government would not allow the Journals to be printed beyond what was needed for the two Houses, with a small surplus, and that the practice of supplying Members who sat for a single fortnight in that House would be put an end to. If these things were done, they would lead to a reduction of one-half the expenditure.

Vote agreed to.

On the proposition to vote 18,700*l.* 18*s.* 6*d.* for the civil expenses of our North American establishments,

Mr. *Hume* expressed a hope, that the whole amount of the expenses of the religious establishments in those colonies would be withheld. He thought, that the income of the Catholic Bishop of Quebec ought not to be paid by this country. The religious establishments of those colonies, unless the Government meant to assimilate them to Ireland, ought not to be a burthen on the people of England.

Mr. Secretary *Stanley* said, that the expense would not be greater than at present, as the reserved lands for the clergy would in the course of time be sufficient for their maintenance. The grant to the Catholic Bishop had been long sanctioned by Parliament, and was given to that prelate in lieu of his former revenue. He was glad the hon. Member had mentioned the name of the Protestant Bishop of Quebec, as it gave him an opportunity of stating a circumstance as rare as it was honourable to that excellent prelate. He believed, that nearly the whole of his income was devoted to the benefit of those over whom he presided. He would also state, that such had been the increase of the number of Protestants in Canada, in consequence of emigration thither, that the Bishop of Quebec had made an application to Government to have a suffragan Bishop appointed for Upper Canada, but not at any expense to this country; for in the most disinterested manner he offered to give up 1,000*l.* a-year out of his own income of 3,000*l.* to pay the suffragan. He, however, had felt it necessary to decline the offer, as it might lead to expectations which could not be realized, for after the death of the Bishop of Quebec there were no funds from which the 1,000*l.* could be paid. The offer, however, was not the less generous and praiseworthy on the part of the right reverend prelate.

Mr. *Labouchere* said, that the Roman Catholic parochial clergy in Canada were well provided for. They were comfortably situated, and their incomes arose out of tithes. It was different with the Bishops; if they should be deprived of their incomes they would be reduced to almost a state of poverty. On principle, however, he agreed, that the sooner the supporting of those ecclesiastical establishments was got rid of, the better it would be, not only for this country but for those establishments themselves. He did wish, that faith should not be broken with those ecclesiastics who had been induced to migrate on the promise of being provided for by this country. He trusted the hon. member for Middlesex would not persist in depriving of his emoluments a person respected in the lower province of Canada.

Vote agreed to.

Lord *Althorp* said, that as the next Resolution which he had to move was new, he thought it necessary to explain why he considered it his duty to bring it forward. He was aware, that where money was advanced by the Government for the purpose of forwarding education, it was frequently mischievous—and that it was more desirable to leave schools to be supported by private subscription than public money. But in setting new schools on foot—especially in building school-houses—subscriptions were frequently deficient, and it was for the purpose of building new school-houses that he would now propose that a sum of 20,000*l.* be granted. This sum he proposed should be placed at the disposal of the Treasury, but no part of it should be expended but at the suggestion of the two great School Societies of the kingdom—namely, the National School Society and the Lancasterian School Society. He thought, that the House would approve of the proposal. The noble Lord concluded by moving, that a sum not exceeding 20,000*l.* be granted by his Majesty in aid of private subscriptions for the erection of school-houses for the education of the poorer classes in Great Britain,

Mr. *George F. Young* could not hear the name of Lancaster mentioned without expressing a regret, that a person who had done so much for his fellow-men should be allowed to pine in exile and in poverty. He hoped that something might be done in his behalf.

Sir *Robert Inglis* had never heard an Estimate brought forward in that House with greater surprise than the present. It was the commencement of a new system, the extent of which they could not know. He could not but express his surprise, that such a proposition should have been brought forward without notice, at the very end of the Session, and at two o'clock in the morning. He was not prepared, however, to oppose the Motion; but he thought the noble Lord ought to delay it.

Lord *Morpeth* could not but thank the noble Lord for the proposition, which, in his opinion, would be highly beneficial.

Mr. *Hume* would oppose the Motion, but not on the ground assumed by the hon. Baronet. He opposed it because he thought the plan of giving assistance to schools bad, and there would be no end to the demands for assistance from all parts of the country.

The result would be, that it would give dissatisfaction instead of being of service. He would suggest to the noble Lord the propriety of postponing the Resolution till some plan was formed which would extend to the community in general, or, at all events, till some inquiry could be made as to the propriety of the grant.

Lord *Althorp* quite agreed with the hon. Member, that the giving of assistance to schools after they were established was not proper, but the object of this grant was to give assistance towards building school-houses.

The Vote agreed to — The House resumed.

PROSECUTIONS FOR STAMP DUTIES.] Mr. *Hume*, in moving for leave to bring in a Bill for the repeal of the Act 60 George 3rd, cap. 10 one of the Six Acts, said, that he would not detain the House at that late hour by bringing forward any arguments in favour of the measure. He would refer hon. Members to the speeches of the members of the Government against the Six Acts, for better arguments than he could bring. He hoped, that late as the period of the Session was, the noble Lord would not object to his bringing in this Bill. He would therefore simply move, that leave be given to bring in a Bill for the repeal of the Act 60th George 3rd.

Lord *Althorp* said, that it would be impossible, at that late period of the Session, that any Bill on this subject could pass into a law. He should therefore consider it his duty to oppose the Motion, although he, as well as the hon. Member, felt, that there were several points in those Acts which were objectionable. He thought the better course to pursue would be, to bring in a Bill to amend, and not to repeal the Acts; for although there were many parts of them which were objectionable, there were others which ought to be continued. He thought it proper, that the subject should be taken into consideration, and he would take it into consideration during the recess, in order that he might be able to bring in a Bill at the commencement of the next Session, to amend the Acts. He hoped, therefore, that the hon. Member would not persevere in his Motion.

Mr. *Hume*, after what had fallen from the noble Lord, would not press his Motion.

Motion withdrawn.

HOUSE OF LORDS,

Saturday, August 17, 1833.

MINUTES.] Bills. Read a second time:—City of London Scavage; Slave Trade Conventions; Court of Exchequer; Uniformity of Process; Customs' Acts Repeal.

HOUSE OF COMMONS,

Saturday, August 17, 1833.

POST-OFFICE.] Lord Althorp moved the Order of the Day for bringing up the Report of the Committee of Supply.

Mr. *Robert Wallace* wished to be permitted to allude very briefly to a statement made in another place last night, and which he conceived related not only personally to himself, but to that House collectively. The noble Duke at the head of the General Post-office had accused him (Mr. Wallace) of being uncourteous, in having persisted in bringing forward a Motion in that House relative to the regulations of the General Post-office. He begged to repudiate any such charge, and declared at the same time that he had made no statement he was unable to prove from documents he then held in his hand. He believed no member of that House could say, that his conduct in this respect had been either uncourteous or unkind, as he did not bring forward his Motion until he had written to the noble Duke requiring an explanation, the answer to which might have prevented the Motion, but no answer was returned.

Lord *Althorp* said, he was not aware of the statement which his noble friend (the Duke of Richmond) was said to have made, and, therefore, it was impossible for him to say anything about it; but certainly, on the morning before the hon. Member brought forward his Motion, the noble Duke had told him (Lord Althorp) that he had seen the hon. Member, and had had an explanation with him, after which his noble friend certainly did not imagine the Motion would have been made.

The Conversation dropped.

SUPPLY—EDUCATION.] The Order of the Day for receiving the Report of the Committee of Supply was read, and

Mr. *Sinclair* expressed his surprise and regret that Ministers should have deferred the Estimates until such a late period of the Session, when so few Members were in town.

Mr. *Hume* also protested against such a practice, as also against the late hours at which the Estimates were moved, and expressed his determination not to let one shilling be voted, during the next Session, after twelve o'clock at night.

The Report brought up.

On the vote of 20,000*l.* for the purposes of education,

Mr. *Hume* said, he should certainly object to this vote, and should take the sense of the House upon it. If it was meant that a system of national education should be established, this sum was too small, and without such a system no grant at all ought to be made. Besides, the Report of the Commissioners on Charities showed that a sum of 500,000*l.* was applicable to these purposes, and while that was so he saw no reason for coming to that House. If that large sum could not be applied generally, at least, the House ought to see that it was applied in the districts intended by the men who had bequeathed it. This miserable pittance would only dry up the sources of private bounty—it would paralyze and prevent the good done by individuals.

Lord *Althorp* had as great a wish to forward a system of national education as the hon. Gentleman, and, therefore, the question between them was simply this—which was the best mode of attaining the common object? In his opinion the grant now proposed would have none of the effects attributed to it by the hon. Gentleman. There were many cases in which local efforts at education were prevented from the want of means to make a beginning. Several parishes would maintain schools if, in the first instance, they could be assisted with money to build the school-house. It was to meet such cases that this vote was applied for. None of this money would be granted for the purposes of building schools until it had been ascertained that, in the places for which it was required, there would be the means of carrying them on. The vote now proposed was in accordance with the recommendations of the Commissioners in 1818.

Mr. *Warburton* said, that whatever might have been the recommendations of the Committee in 1818, a different system from what they advised must be pursued now. The circumstances of the times had completely altered, and whenever the Ministers chose to take the subject in hand, and bring forward a matured plan of national education, they would have the support of that House to enable them to carry it into effect. He agreed with his hon. friend, the member for Middlesex, that, without such a plan, the grant of this money would certainly be useless, and might be attended with the bad effect of preventing the efforts of well-disposed individuals.

Mr. *Shaw* could not give his support to any advance of money for the purposes of education till he knew the precise plan on which the Government meant to proceed; for he asserted, that their system of education in Ireland had already been productive of very prejudicial effects.

Sir *Robert Inglis* could not support any plan of education that was not based on the principles of the English Established Church.

Lord *Morpeth* thought it a recommendation of the plan, that the money was to be advanced to assist both systems of education; one exclusively on the principles of the Established Church, and the other admitting children of all creeds and of all nations.

Mr. *Estcourt* thought that this was an experiment, and that the noble Lord had shown no ground for making it. There was no proof of any applications having been made for this money.

Lord *John Russell* answered, that, in the Report of the Commissioners in 1818, there were statements of instances in which, if parishes could have been assisted in the first outlay, they would afterwards have supported schools with their own funds. That had been the case from the time of making that Report to the present period.

Mr. *Aglionby* did not anticipate such a result, or else he should support the grant. His opinion was, that a distinct plan ought to be proposed before the House proceeded to vote any money for this purpose.

Mr. *Cobbett* could not consent to take from the people one single farthing in the way of taxes, directly or indirectly, in order to teach the working classes reading and writing. He was sure he should not be accused of a wish to degrade them, or to deprive them of any advantages, but he thought the word education was much mistaken. Education was the knowledge necessary for the situation of life in which a man was placed. Take two men for instance—suppose one of them to be able to plough, and the other able to plough and make hurdles and be a good shepherd. If the first man knew how to read as well as to plough, and the other man did not know how to read, even then he should say, that the latter was the better man. Let hon. Members go into the agricultural districts and take father and son, what would they find? Why, that in almost every instance the father was the better man—he was the better labourer—he knew better how to do his work, and he was more able and more willing to do it. The Reports that were from time to time laid on the Table of that House, said that men became more and more immoral every year: those Reports must be taken to be true. Then what became of the benefits of education? for education had been more and more spread, but what did it all tend to? Nothing but to increase the number of schoolmasters and schoolmistresses—that new race of idlers. Crime, too, went on increasing. If so, what reason was there to tax the people for the increase of education? It was nothing but an attempt to force education—it was a French—it was a Doctrinaire—plan, and he should always be opposed to it.

Mr. *Murray* said, that if this grant were, as some thought, unnecessary, he should be the last to assist in making it; but he believed it to be just the reverse. He was pleased, too, with the way in which the noble Lord proposed to apply it, and was almost inclined to vote for it, on the sole ground that it was to be applied as well in aid of education among the Dissenters, as among those of the Church Establishment. He denied in the most distinct manner the statements made by the hon. member for Oldham, as to the increase of crime being, as that hon. Member had represented it, the consequence of the increase of education. That opinion had once been entertained in Edinburgh, but there the experiment had been fairly tried, and that opinion no longer existed. In Edinburgh lists had been kept of the workmen, and columns marked so as to give a full account of their conduct during the year, and the masters had invariably found that those men who had received the benefits of education, and employed themselves as often as they could in reading and writing, were the most sober, the most industrious, the most regular at their work, and the best conducted in their families. So that the obstinate and the prejudiced masters—he did not of course mean to say that the hon. member for Oldham was prejudiced—had been obliged to confess that the result was decidedly in favour of education. He agreed that the man who could use a plough and make hurdles, and was a good shepherd, was a more useful man than he who could only plough and read; but the fallacy was in assuming that if the man was taught to read and write, he would be taught nothing else.

Colonel *Evans* agreed with all that had been said by the hon. and learned Gentleman (Mr. Murray) who had just addressed the House, but must vote against him. He thought that the House ought not to be called on to vote money for the purposes of education, while there were such means for those purposes to be found in the funds of private charities. He did not agree with the opinions of the hon. member for Oldham, but those opinions must certainly be disinterested, for if his principle were fully carried out what would become of *The Register*? Education had considerably improved the people.

Mr. *Potter* was unwilling to vote against any scheme for promoting the education of the people, but for the reasons urged by the hon. member for Middlesex, and also on the grounds he mentioned yesterday, he begged the noble Lord to postpone the grant until a general plan of education could be devised, and until the enormous funds which had been bequeathed for the promotion of education were made available. He felt convinced, that the period was not far distant when, by the general voice of the country, those bequests must be appropriated to their original, legitimate, and most beneficial purpose.

The House divided—Ayes 50; Noes 26: Majority 24.

Report agreed to.

List of the AYES.

ENGLAND.

Althorp, Viscount
Bentinck, Lord G.
Bernal, R.
Blamire, W.
Briggs, R.
Campbell, Sir J.
Carter, J. B.
Davenport, J.
Dundas, Hon. Sir R.
Dykes, F. L.
Ellice, Right Hon. E.
Evans, Colonel
Forster, C. S.
Graham, Rt. Hn. Sir J.
Grey, Hon. Colonel
Grosvenor, Lord R.
Heathcote, J. J.
Littleton, Rt. Hon. E.
Macaulay, T. B.
Marryatt, J.
Morpeth, Viscount
North, F.
Palmer, C. F.
Parker, J.
Peter, W.
Pryme, G.
Rice, Right Hon. T. S.
Russell, Lord J.
Scrope, P.
Sheppard, T.
Skipwith, Sir G.
Smith, V.
Spankie, Sergeant

Stanley, Hon. H. T.
Tancred, H. W.
Todd, R.
Tooke, W.
Torrens, Colonel R.
Tower, C. T.
Tracey, C. H.
Wood, G. W.
Wedgwood, J.

SCOTLAND.
Macleod, R.

Maxwell, J.

IRELAND.
Lynch, A. H.
Mullins, F. W.
O'Ferrall, R. M.
O'Reilly, W.
Perrin, L.

TELLERS.
Gordon, R.
Wood, C.

List of the NOES.

ENGLAND.
Aglionby, H. A.
Brocklehurst, J.
Brotherton, J.
Cobbett, W.
Divett, E.
Estcourt, T. G. B.
Fielden, J.
Humphery, J.
Inglis, Sir R.
Knatchbull, Sir E.
Potter, R.
Ryle, J.
Walsh, Sir J. B.
Williams, Colonel
Willoughby, Sir H.

SCOTLAND.
Murray, J. A.
Sinclair, G.
Wallace, R.

IRELAND.
Blake, M.
Hayes, Sir E.
Jones, Captain T.
Ruthven, E.
Shaw, F.
Sullivan, R.
Vigors, N. A.
Wallace, T.

TELLERS.
Hume, J.
Warburton, H.

TITHE ARREARS (IRELAND).] Mr. Littleton moved the Order of the Day for the House to resolve itself into Committee on this Bill.

Mr. *Hume*, in objecting to the Bill, begged to state, that he was as anxious as any one to see the disputes between the tithe-owners of Ireland and the people of that country put an end to. He thought, that all his predictions in 1822 upon tithes in Ireland, which had been fully realized, gave him some claim to the attention of Ministers. In 1822, he pointed out the evils of the system and the dissatisfaction of the people of Ireland, and he then foretold, that unless proper measures were taken, tithes would be lost for the purposes of the State. He then said, that was the time when the rights to such property should be considered, and he then recommended timely concession, to prevent the total refusal of the payment of tithes. He then recommended an equitable assessment on the land; but the time was now gone by to put in practice such a recommendation, since Ireland was now in a situation to preclude the possibility of adopting any such measure; and she was in that situation solely because Government and that House had not attended to his timely notice. The Government had been badly advised last year, when it passed a measure for the collection of tithes in Ireland, giving the Government extraordinary powers to collect them, and putting the Crown in the place of the tithe-owner. He opposed that measure, and he told the then Secretary for Ireland, that he was doing that which would completely endanger the collection of tithes. The House consented to the measure by a large majority. What was the result? Why that the Government, with all the extraordinary powers that had been given them—with the aid of the constabulary and military force—were obliged to admit that they had completely failed. He agreed to the grant allowed then—he agreed to it on the score of the responsibility of Ministers. But where was their responsibility now? How much did they collect by that measure of the arrears of tithes? They collected, with much pains and large expense, the sum of 12,000*l.* out of the 104,000*l.* which had been advanced to them. They must then avow, that, with all the power they had at their disposal, they could not enforce the payment of tithes, and that their plan had entirely failed. They were even obliged to issue proclamations, with the Royal Arms at the top of them, to stay all further proceedings for the collection of tithes; so that all those who had legal claims for arrears of tithes were prevented from prosecuting them by the proclamations of Government. He owned that it was proper to stop civil war in Ireland, and so far he did not object to those proclamations; but who had placed Government in such a situation? Those persons who had advised the plan. Now, the question was, whether tithes could be collected or whether they were lost. For his own part, he had not the slightest hesitation in saying that they were lost, since he confessed that neither power nor means remained to enforce the collection of them. If any one measure could be devised by Government to put an end at once and for ever to disputes between the people and the Church, he would have no objection to it; but he could not support the present plan, for he was sure that it must fail, and he did not think that there was a single Irish Member in the House who would say, that it had the slightest chance of succeeding. He would ask, what security was now given them in going into Committee? It appeared to him, that no additional powers were given by the present Bill to enforce the payment of tithes. If such was the fact, he would call upon the House to pause before it consented to the measure, until Ministers showed how they would be able to secure peace in Ireland, and how the repayment of the money now asked for was to be obtained. By the 19th clause of the Bill the money advanced was to be paid in five instalments? But by whom was it to be paid? By the lay impropriators and by the clergy. Why, they were told that the clergy were very poor, that they were in great distress, and that it was for their support they were called upon to give this money. Was there anything in the present Bill that would compel the tithe-payers to do of their own accord that which all the military force, and all the other power the Government had at its command, had failed to make them do? He asked how the clergy were to find the money to pay in five years the advance that was about to be obtained for them? He allowed that the clergy were honest and willing to refund what might be advanced to them; but how could they, since their power of doing so depended on the payment of tithes? The present Bill made it the mutual interest of landlords and tenants not to pay tithes; and when it was their mutual interest to refuse payment, could it be expected to make both pay what the tenants had singly and successfully resisted? For these reasons, he thought they should not be justified in voting this money. The House of Commons was bound to know how the money was to be repaid. If the instalments were not paid twenty days after they became due, they would become debts of record. That was no additional security; they were before debts of record, and the Bill would make a double opposition to them—opposition both on the part of the landlord and of the tenant. As he intended that the people of England should have a lien on and a security to be repaid at some future period from the temporalities of the Church of Ireland, he should move, that it be an instruction to the Committee "to provide for the repayment of such parts of the money to be advanced under the authority of this Bill as shall not be repaid by the persons entitled to receive the tithes in the manner provided for by this Bill, and that any balance of the money unpaid and due to the public shall become chargeable on the funds arising from the temporalities of the Church of Ireland."

Mr. *Thomas Wallace* seconded the Motion. The only thing that could prevent the Bill from being a great mischief, was the Amendment proposed by the hon. member for Middlesex. He had looked attentively at the Bill, and had seen nothing in it that offered the least security for the payment of the money advanced. He looked upon the advance of such a sum in the light of a public fraud. There was no one who had looked to the resistance to tithes for the last two years in Ireland, but must see, that it would be made to this measure. His opinion therefore was, that this sum of 1,000,000*l.* never could be recovered. That was one reason why he objected to the Bill. He had another objection—namely, that the Bill opened a new crusade against the tithe-payers of Ireland, which crusade was to last for five years. Who, he would ask, could wish to see continued for the space of five years that system which, in the course of seven months, had driven the people of Ireland to a state of anarchy?

Lord *Althorp* said, that he did not intend to withdraw from the declaration he had made on a former occasion, that if there was not a reasonable prospect of repayment, the House ought not to pass the Bill; but he nevertheless trusted he should be able to show that there was a reasonable prospect of repayment. Hon. Gentlemen asked, what was the use of making the clergy of Ireland debtors of the Government, when they would not have the means of repayment? What he had to show was, that the parties to whom this advance was to be made would have the means of repayment. No doubt, if the clergy had to apply to the same parties for payment as they had last year, the same results might be expected; but, under the permanent Tithe Composition Act, which passed last Session, the clergyman would in future have to apply, not to the occupying tenantry, but to the leaseholders and owners of the land—persons in a situation of life well able to pay, and from whom payment could be enforced. It must be remembered that if those parties did not pay the clergyman, a receiver of their rents could be appointed till the amount legally due was paid. The hon. Gentleman opposite assumed, that the clergy of Ireland would, in future, have no income whatever. No doubt, if that were the case, they could pay neither this nor any other debt: every Gentleman, even those who thought the Irish Church ought to be entirely abolished, agreed that the present incumbents were entitled to a provision for life. Now, whether that provision was made by the continuance of tithes for their lives, by a land-tax, or by any other means, it being universally agreed that they must be paid somehow or other out of the soil of Ireland, it was clear they would have an income from which to pay this debt. As to the instruction moved by the hon. Member, it amounted to saying, that the repayment must be by the Church Commissioners; for if the clergy were told, " You have to pay this money, but if you should not do so, there are other means of paying it provided," it was not very likely that the clergy would pay the money out of their own pockets. He thought the proposed plan would be a very dangerous one, and therefore he hoped the House would not accede to it.

Mr. *Shaw* said, that after the statement the noble Lord (Althorp) had just made to the House, that he would not press the measure then before them unless he was satisfied that the million of money they were about to advance would be repaid by the means provided in the Bill, he should consider himself as acting an uncandid and unworthy part were he to sanction such an expectation. He was placed in a situation of much delicacy and embarrassment—but he was persuaded that the plain and straight course was at all times the safest as well as the best, and at every hazard he would take it. The noble Lord was greatly deceived in supposing, that in respect of the arrears any material difference was to be made in the persons liable to their payment; for although it was true that after November the gradual effect of the Act of last year would be to transfer the liability from the occupying tenant to the landlord, and of that in principle, he (Mr. Shaw) approved; still that would not for a considerable time come into operation, as existing contracts were not to be interfered with, and they extended over a large proportion of cases. The system was to be held under lease or written agreement, and, even with regard to tenancies from year to year, though the landlord was in the first instance to pay, he was afterwards to recover from the tenant; so that the persons to pay the tithe would, with very few exceptions remain the same. He did not suppose that the noble Lord would wilfully impose upon the House, but he certainly was at a loss to conceive how the noble Lord could have so blindfolded his judgment, and shut out the voice of reason and common-sense from his mind, as to entertain a hope that the money could be repaid by making the clergy the collectors. What ground had the noble Lord for making the grant? It was, that the Government, with all the powers incident to the recovery of Crown debts, and giving all their aid to the clergy, had failed in enforcing their just rights, and had given a complete triumph to the violators of the law over its authority—and now the noble Lord expected the House to credit the monstrous proposition, that the same clergy, unaided and single-handed would be able to regain the ground which the Government admitted they were driven from. He knew that the Government might have succeeded, had it used common prudence and firmness—first, in leaving the party who vexatiously resisted a just demand liable to the costs of its recovery—for the consequence of finding that no costs should be paid, had been just what those who remonstrated against the provisions had anticipated. Nothing was paid without a suit; the apprehension of costs being removed, the person who owed the debt could be no worse by resisting it, however vexatiously, to the end, than if he paid it on the first demand. But the great defect was that which characterized every act of the present Ministers—a rapid transition from a reckless laxity to an excessive severity incurring all the mischief of an extraordinary stretch of power, and then, as if frightened by their own act, flying from it before any benefit accrued. The clergy were left without that protection which all loyal subjects had a right to expect from a Government. In the same proportion that the clergy were oppressed by defeat, were their opponents and the opponents of the law flushed and elevated with victory. The exorbitant deduction (not much less than fifty per cent) was as unjustly taken from the clergy as the reward of their forbearance, as it was given to the refractory tithe-payer as a premium on his illegal and often outrageous resistance to a just demand. The right hon. Secretary seemed to refuse his assent to the amount of deduction from the clergy being near fifty per cent. First, then take the twenty-five per cent on 1831 and 1832, and the fifteen per cent on 1833, and observe that was not taken to cover the cost or loss in collecting, but as a simple loss to the clergyman, and a bonus in favour of the defaulter. The clergy were still to be at the expense of the collection, which would be moderately estimated at ten per cent. They were also to forfeit all arrears on 1830 and the previous years, which were very considerable, particularly those of 1830, in the end of which year the systematic opposition to tithes commenced—and in the dioceses of Ferns and Ossory the whole of that year was very generally due; then, by the 8th clause, all arrears were to be lost on lands where the occupancy had changed (which, by the way, would open a door to great fraud). There was likewise the cost of preparing memorials and schedules, and of proving them before the Assistant Barrister; besides the loss of interest of money which had been kept back from the clergyman, and which he had had to borrow. If all these were put together, the clergyman who availed himself of the Bill would lose not much less than fifty per cent on half the sum justly and fairly owing to him. The dishonest tithe-payer, too, was to receive the greater part of it, while none was to be reimbursed to the man who honestly discharged his debt and obeyed the law; and to all this was to be superadded the insulting cruelty that, in default of repayment by the clergyman, in twenty-one days after each instalment became due, the amount was to become a judgment debt against him with all costs and charges. It was under these circumstances that the noble Lord seriously assured the House, that he was satisfied the clergy could recover and repay the million of money which was to be advanced under the Bill. All he (Mr. Shaw) could say was, that he was satisfied, that poor, distressed, and destitute, as the clergy of Ireland were at that moment, there was not one of them would accept a farthing upon the terms of being parties to imposing such a fraud upon the House. He would repudiate, on their part, any undertaking, express or implied, that the mode provided by the Bill would be efficacious for the repayment of the money. But this led him to a consideration much more important than any which merely had reference to the temporary question of the present arrears—here the designing and dangerous nature of the measure seemed to develope itself; he meant the ingenious and dexterous manner in which the future prospects of the clergy and the Church were mixed up with the arrears then due—so that it followed, by necessary inference, if he was right in concluding that the arrears could not be collected, that neither could the accruing tithe after November next—they would be involved in the same fate, and exposed to common danger. For five years to come these instalments would be placed as a sort of dead weight about the neck of the new system to come into operation on the 1st of November, under the Act of last year, introduced by the right hon. Secretary for the Colonies (Mr. Stanley) so as to render its failure certain. He was sorry that right hon. Gentleman was not in his place to vindicate his own measure, and explain how the conditions of the present Act could be made consistent with the success of his Bill. For his own part he was convinced, that the present Bill would never have been drawn had that right hon. Gentleman remained Secretary for Ireland. He meant no personal disrespect to the present Secretary, nor did he attribute to him personally the authorship of the measure; he presumed it was the joint production of the cabinet, while the attention of the right hon. Secretary for the Colonies was not particularly directed to the department of Irish affairs. But although he differed much from that right hon. Gentleman in respect of the Irish Church Reform Bill, of which he was the avowed author, and he (Mr. Shaw) thought it highly injurious in many respects to the interest of the Church—yet, as compared with the present Bill, he would say, that even its injuries seemed to him to have been inflicted by the hand of a friend; while every line of the present Bill appeared to have been indicted in the gall of the deepest hostility to the permanent welfare and stability of the Established Church. If he did not charge the framers of the Bill with an actual conspiracy for the overthrow of the Church, he must say, that, had such existed, no better means could have been devised to render it successful. He might be asked how he would remedy the defect in the Bill of which he so loudly complained. His answer was, very simply, instead of making the clergy the coi lectors of the arrears, and mixing these arrears with the future incomes, to the imminent danger, indeed certain loss, of both, let the Government collect the arrears, by means of the excise—let them charge costs, and proceed temperately and firmly in the Superior Courts against those who were the leaders, and not, in the first instance, against those who were only the dupes of the combination against tithes. The clergy would not murmur against any sum being deducted which might be necessary to cover the costs, or repay the expenses of the collection, not even if it were twenty-five per cent. His objection was not one of pounds, shillings, and pence, but of principle—for if the Government enforced the arrears, they would, at the same time, vindicate the authority of the law, and insure the future rights of the clergy, as well as of every other class of the community; whereas, by throwing the collection on the clergy, and confounding the arrears with their accruing tithes, both would be lost — a permanent and irrecoverable injury done to the Church, and an invitation held out (which no doubt would be quickly accepted) to those who had successfully resisted the payment of tithes, to get rid, by the same means, of rent, taxes, and every other legal demand. The only manner in which he could account for the sudden and precipitate abandonment by the Government of the proceedings they had adopted last spring for the recovery of tithes, was by supposing that after that weakness of the Government in admitting that Amendment to the Coercion Bill which declared that it was not for the mere purpose of collecting tithes, the noble Lord (Lord Althorp) was scared from persevering in a course which he was convinced would have proved effectual, by an apprehension that such a result would have been attributed to the Coercion Bill. Nothing could be more absurd. The noble Lord might just as reasonably expect that if you admitted light and air to a building that had been previously dark and unwholesome, all the inmates would not avail themselves of the change, as that where the authority of the law had been suspended and was restored, the salutary effect would not extend itself to every class of the community. Where the interruption of the ordinary relations of society had been greatest, there, of course, the return to order and regularity would be the more remarkable; and as the pressure of turbulence was removed, the rights of the clergy, as well as all other rights, would naturally rise to their own level. He felt that he was perfectly consistent in voting for the second reading of the Bill, as its principle professed to be to give relief to the suffering clergy, while he could never assent to a provision for the repayment of the money, which was inconsistent with the character of the clergy, and the true interests of the Church, and the permanent peace of the country. He was aware, that the Ministers would not alter the Bill as he proposed in the Committee, and, therefore, he could not give his assent to it. He incurred a most painful responsibility in the course he took. Nobody knew better than he did the state of destitution to which the clergy were reduced; he need not be told, for the heart-rending evidence was within his own knowledge, that they had to deny to their families what would be esteemed by others in the same rank the very necessaries of life. They had to witness the ill health of those who stood to them in the nearest and tenderest relations, induced by privations and sufferings which they had not the means to alleviate—their children bereft of education, at the very time they were forced to drop the insurances on their own lives, and every prudential arrangement for the future provision of their families—thus the same hard and cruel necessity, blighting the two-fold prospect of their independence arising from the exertions of the children and the providence of the parent—all this too, without the imputation of blame on their part. Such a state of things no doubt put Christian patience to the severest test—but still he was bold to say from his acquaintance with the Irish clergy and their families, that if the heads of these afflicted families were to carry to them the means of their relief, and to tell them that they had been purchased with the price of their personal honour and integrity, they would be unacceptable to the circle which had been brought up under their example and imbibed their principles —and to themselves all their former adversity would have been sweet compared to the bitterness with which they would eat the fruits of such a sacrifice. He trusted that he should not be suspected of vain boasting when he said, that he would to God he could bear in his own person the pain, the disappointment, and despair which rejecting that measure must occasion to the long-suffering clergy of Ireland —but at the same time he believed in his soul that he was incompetent and unworthy to express the determination which would inspire them as a body to reject any offer the acceptance of which involved a dereliction of their duty. They had been robbed of their property, calumniated in their characters, reduced, under the permission, if not the sanction of the Government, to a state bordering on starvation—that Government induced them to stop all proceedings for the recovery of the means of their subsistence under a promise that they should be provided for, and how did the Government now perform that promise? It offered them the half of what was due—and that half upon conditions incompatible with the honour of the clergy and the interests of the Church. The temptation which the Government thus ungenerously held out, all the tenderest ties of nature prompted a compliance with —but he should be grievously mistaken if the Government did not find, that amidst all the trials and temptations to which the clergy were exposed, their uprightness was still unbent by their misfortunes—that the independence of their spirit had not been extinguished by injustice, and was not to be corrupted by the bribe of a paltry pecuniary consideration. He spurned the proposition. Those who candidly avowed their object was to subvert the Established Church said, they were willing to contribute a million for that purpose. He, on behalf of the Church and the clergy, answered—let the money of her enemies perish with them—the Irish clergy would never accept it as the price of their treachery to that United Church of which they had been heretofore the brightest and most distinguished ornaments. He meant no disparagement to the English clergy—no one more highly valued them—their generous minds would feel no jealousy at the declaration—as amongst the most attached families and friends, when any one member was in sickness or in sorrow every such feeling vanished—and all the others united to exalt the virtues, and bring out, even by contrast with their own, the most amiable traits of character in those so circumstanced. Those friends, too, more immediately connected with the English branch of the establishment who were around him, would pardon him when they recollected that even "purest gold, when tortured in the furnace, came out more bright, and brought forth all its weight." His position was most trying—his feelings were struggling to restrain his judgment—he had no opportunity of communicating with those immediately concerned—he trusted and he believed they would agree with him; but at all events he was convinced that the bounden duty of an independent representative was not so much to consult the feelings, the wishes, or even the present interests of his constituents, as to have regard to their permanent welfare, their honour, and their truest happiness; and he had no choice left but, after the most painful and anxious consideration, to follow the best dictates of his own judgment. He could not support the Bill—and if it was pressed in its present form, his wish would be to strip it of its delusion, to unmask its hypocrisy, and to lay bare the deep design to destroy the Established Church, which lurked under the specious covering of a Bill to give relief to her ministers. I can never (concluded the hon. Member) give my assent to a measure which in my conscience I believe would compromise the personal honour of the Irish clergy—betray the best interests of the Established Church—reward a systematic and unlawful resistance to the rights of one class of the community, thereby encouraging the same to those of every other class—and moreover sanction a proceeding which will constitute a striking feature of the weak, vacillating, timid, time-serving place-preserving policy of the present Government—a policy which, if persevered in, must soon cover Ireland with renewed anarchy and confusion.

Lord *John Russell* said, that the hon. and learned Gentleman (Mr. Shaw) seemed to think that the proposition was the act of Government, and that what had taken place in Ireland respecting the payment of tithes was also the act of the present Government. Now, such was not the case, and he (Lord John Russell) wished to take that opportunity to state the facts. No Bill of the present Government could have had the tendency stated by the hon. and learned Gentleman. For the proposition made to Government was, for the Government themselves to collect the tithes from the year 1829 to 1831; and that the clergy would allow fifteen per cent in return for the sums advanced; that proposition was made to the Government by persons sent over by the clergy, at least so it was stated in that House; and so far from meriting the charge of being the means of assisting to add to the distress under which they laboured, the Government felt the deepest commiseration, and proposed the present Bill as tending to afford immediate relief; and when the Bill was introduced, so far from the measure meeting universal disapprobation no one person came forward on their behalf to oppose it. He (Lord John Russell) could assure the hon. and learned Member (Mr. Shaw) that his feelings for the situation in which the clergy of Ireland were placed were no other than those of compassion and commiseration, conceiving, as he did, that political excitement and opposition to the payment of tithes had reduced them to the most painful situation.

Mr. *Shaw* denied that the clergy of Ireland were parties to any such proposition as that mentioned by the noble Lord, nor did they sanction any persons on their behalf to make such a proposition for them.

Lord *John Russell* said, that the circumstance to which he alluded, took place in March last, when the Coercion Bill was under discussion.

Mr. *Aglionby* said, he had given the subject under discussion, as well as all others relating to Ireland, his closest attention. He had been constant in his attendance in that House, and he was bound to say, he never heard any declaration made, that it was the intention of the Government to alter the Bill. He would implore the Government to consider well the Bill they were about to pass, and not permit to be recorded in the Statute Book of that House an Act forming a most dangerous precedent for future governments that might feel a desire to attack the properties and rights of individuals. What private individual, he would ask, would lend 100*l.* to a man on such security as that sought to be given by this Bill. For himself he would say his money should not leave his hands on such security, for the first security offered is the clergyman, and, according to the hon. and learned Member's statement, they were not able to support their families; and the clergyman unable to pay, would naturally refer to the person who really owed the money, it being his share of tithe; but this person would throw the claim off his shoulders, and so refer to the landlord, who had no right whatever to pay, and who himself might not have received his rent. He did not condemn the Government for planning the present measure—it was forced on them by necessity. But he did condemn them for perpetuating and supporting the Church of Ireland, after they had acknowledged it to be an evil.

Debate adjourned.

HOUSE OF LORDS,

Monday, August 19, 1833.

Minutes. Bills. Read a second time:—Assizes Removalp Land Revenue (Scotland); Factories' Regulation; China Trade; Spirit and Wine Licences (Ireland).—Read a thir; time: -Lunacy Commission; Fines and Recoveries.

Petitions presented. By the Marquess of Lansdown, from the Prisoners confined for Debt in the King's Bench Prison, to be allowed to reside within the Rules; from Pennselwood, for the Abolition of Tithes.—By the Duke of Cumberland, from Bowling, and five other Places, in favour of the Factories' Regulation Bill.—By Lord Suffield, from King's County, and by the Earl of Gosford, from Maryborough, in favour of the Separatists Affirmation Bill.—By Lord Wynford, from Newcastle-upon-Tyne, against the Notaries Public Bill.—By Lord Melbourne, from Christ Church, Surrey, for an Alteration in the Parish Vestries Act Amendment.

Separatists' Affirmation Bill.] The Earl of Gosford moved the third reading of the Separatists' Affirmation Bill.

The Bishop of *Hereford* would merely say, that he was neither satisfied with the Bill itself, nor convinced of the necessity of its introduction. The objection of the complainants was not to the words "So help me God," but to "swear not at all;" and their affirmation, according to this Bill, was as completely an oath as that which the law at present required them to take. If there were to be any alteration at all, it ought to be in the shape of a general Bill, and not confined to one—and that not a numerous class—and he should, therefore, move, that the third reading be deferred until that day three months.

The Bishop of *Chichester* did not see any grounds for refusing that relief to the Separatists which had been granted to the Quakers. What constituted the validity of an oath but a conscientious feeling? The Separatists declared, they could not conscientiously take an oath, and where then was its validity? He should support the measure, although he would prefer a more general one.

Lord *Suffield* said, the Separatists did not, like the Quakers, object to an oath, but only to that which called down upon themselves, under any circumstances, a curse from Heaven. He should like to see a false affirmation in Courts of Justice visited with the same punishment as perjury.

Lord *Ellenborough* observed, that this difficulty occurred to him—whether the words in which the Bill was couched would really effect the relief which was sought for by the parties? He suggested the expediency of not pressing the third reading until that point should be ascertained.

Earl *Grey*, although he was opposed to a general law on the subject, thought the parties in the present case were entitled to relief; not so much for their own sake, as for that of the public, whose interests, especially in Courts of Justice, might otherwise suffer.

Their Lordships divided on the Amendment—Contents 16; Not-contents 35: Majority 16.

The Bill read a third time, and passed.

China Trade. Petition.] Lord *Ellenborough* presented a Petition of considerable importance, from a number of merchants in the city of London, interested in the trade to China, which it was the object of the Bill under their Lordships' consideration to open. The Petition might fairly be taken, not merely as the petition of those by whom it was signed—a most respectable body of persons—but the petitioners might be considered as the representatives of all persons connected with the mercantile and shipping interests in Liverpool, Glasgow, Cork, and elsewhere, whose intention it was to engage in the trade in question, as well as those who were engaged in the country trade in India. The petitioners prayed to be heard by Counsel at the Bar, against a provision which had been, most unexpectedly to them, introduced into the Bill. Instead of the establishments in China for the protection and regulation of the trade, being placed on the same footing as our consular establishments all over the world, the petitioners found, to their great disappointment and surprise, that the trade itself was to be burthened with the expense of those establishments. It was their understanding (although of course they were in error) that his Majesty's Ministers had acquiesced in the omission of the clause by which the trade was to be so burthened. He (Lord Ellenborough) shared their feelings, and could not recollect any provision in any Act of Parliament more deserving of reprobation than the provision of which the petitioners complained. From a reformed House of Commons, and one in which the member for Leeds was the Secretary of the Board of Control, and the member for Manchester Vice President of the Board of Trade, such a proposition was not to have been expected. He had no doubt, however, that their Lordships would relieve the petitioners from the grievance in question. The provision in the Bill was contrary to constitutional principles, and contrary to the practice of the House of Commons. To their Lordships, as their last resort, the petitioners applied for redress; and he was sure, that there was not one noble Lord who would not agree with him, that they were entitled to it. Not only had the petitioners to complain of any charge being levied upon them, but they had also a right to complain of the amount of the charge: 27,000*l.* or 30,000*l.* a year was an excessive charge. It was out of all proportion to any other charge for a consular establishment. If, instead of salaries, the superintendents were allowed to act as agents, he was convinced that the charge might be reduced to 5,000*l.* Of all the individuals whom he had described as identified with the petitioners in interest, none had so great reason to complain as those who were engaged in the country trade in India. Hitherto they had been subject to no charge whatever; and now this heavy burthen was to be imposed upon them. Of this he was persuaded, that neither the trade from this country to China, nor from India to China, would, under any circumstances, be for some years attended with much advantage to those engaged in it; so that the proposed burthen would be exceedingly injurious.

Lord *Auckland* had listened to the noble Lord's speech with surprise. The Committee was the proper place in which to go into such details as those on which the noble Lord had entered; and in the Committee, and not till then, he (Lord Auckland) would meet the noble Lord's statements and arguments. All he would say on the present occasion was, that he regretted that those who were about to receive so vast a boon as the opening of the trade to China should shrink from bearing their proportion of the burthen which the due protection of that trade required to be imposed.

Petition laid on the Table.

MINISTERIAL PLAN FOR THE ABOLITION OF SLAVERY.] The Report of the West-India Slavery Abolition Bill was brought up.

The Duke of Wellington moved an Amendment, for the purpose of enabling the planters to move slaves from one estate to another in the same island.

Earl *Grey* thought the Amendment was deserving of attention, and that its adoption would be an improvement. He would, therefore, not oppose it, with this proviso, that no such removal should take place without the consent of two Magistrates.

Amendment agreed to.

Lord *Suffield* proposed a clause to prevent flogging females. His Lordship read a statement of several cases in which this punishment had been recently inflicted, and contended, that if their Lordships did not then forbid the practice of flogging, they would in fact sanction it. The noble Lord concluded, by moving a clause totally and peremptorily forbidding the flogging of females, under the penalty of being guilty of a misdemeanor. The House, the noble Lord said, would do credit to itself, and justice to the negroes, by adopting the clause.

The Earl of *Belmore* was not an advocate for whipping females, but he did not know, nor did the planters know, nor had the noble Baron relieved them from the difficulty of not knowing, what other punishment could be adopted. It could not be said that the female slaves ought to go wholly unpunished.

The Earl of *Ripon* regretted that his noble friend had brought forward this clause, as he was unwilling to oppose it. It should, however, be considered that this Bill actually abolished slavery. It contained, it was true, no clause prohibiting flogging, but their Lordships might rest assured, that such a clause was not omitted by negligence. They ought not to rip up old stories, or do anything to prevent the colonists from cordially concurring with the Legislature in carrying the Bill into effect. There was good ground to believe that such revolting instances as his noble friend had quoted, would never again be heard of. Already in the Crown Colonies, and in some of the Legislative Colonies, the whipping of females was forbidden. Considering, therefore, that the punishment would not be inflicted again frequently, he hoped his noble friend would not press his Amendment.

Lord *Suffield* said, he must take the sense of the House upon the question in the usual way. As to other punishments, the stocks was a sufficient punishment, and might be had recourse to.

The Duke of *Wellington*, though unwilling to oppose the clause, must do so, on the ground that it was most unwise to interfere with the internal regulations of the colonies. So delicate had the Parliament been on this subject, that it had never even passed a Resolution on it. There was some doubt whether the Colonial Legislatures would act, in carrying into effect this Bill, and yet the noble Lord came forward to propose a clause which would infallibly affront every Colonial Legislature, and prevent them all from co-operating to carry the Bill into effect.

Viscount *St. Vincent* agreed with the noble Duke, that the clause would only add to the difficulties in the way of the Bill. He saw no means of enforcing the penalty proposed by the noble Lord. The whole Bill proceeded on a principle of mistrust in the Colonial Legislatures, and he could on no account consent to do that, by agreeing to the present clause.

The Clause negatived.

On arriving at the 61st Clause,

The Duke of *Wellington*, for reasons which he had on two previous occasions given, and, therefore, would not then repeat, moved that it be omitted.

The House divided on the Amendment. —Contents 20; Not-contents 31: Majority 11.

Lord *Wynford* proposed to add a Clause, that no sugar, coffee, or rum, the produce of any place where slavery existed, should be admitted into this country.

The Earl of *Ripon* opposed the clause, as quite unnecessary. With the present high duty on sugar, it was impossible that it could be brought into this country, except from our own colonies.

Viscount *St. Vincent* supported the clause. It would give security to our own planters, and therefore confer upon them an essential benefit. He believed, moreover, that unless the clause were adopted our merchants and capitalit would vest their capital in countries where the slave-trade was yet carried on.

The *Lord Chancellor*, though anxious to abolish slavery throughout the whole world, objected to the Amendment, because it was in fact a substantive Motion, and extended beyond the objects of the present Bill. Such an addition to the Bill, would, he was sure, be rejected by the House of Commons. Besides, the operation of the clause as it was drawn would be much more extensive than was professed by his noble and learned friend. He would strenuously oppose the Motion.

Lord *Ellenborough* did not look upon the proposition as a substantive one, but intimately connected with the Bill itself. The object of that Bill was to do away with slavery in our West-India colonies, and the object of this Amendment was to hold out every inducement to the Local Legislature to co-operate in attaining it. The Bill altered the whole state of the trade. As it would have the effect of making sugar dearer, they ought, at least, to give the planter security that the property in which his capital was invested should not be interfered with. He was convinced that such a pledge would do more to conciliate the colonies than the grant of 20,000,000*l*.

Earl *Grey* said, that it might be fit that the proposition of the noble and learned Lord should pass into law; but was it fit that it should pass in that manner? It was absolutely certain, that if the proposed clause were introduced into the Bill, it would be rejected in the House of Commons. He would even appeal to the noble Earl who presided so advantageously over their Committees, if he knew of any example of the introduction of such an Amendment into a Bill under such circumstances?

The Duke of *Wellington* would support the Amendment of his noble and learned friend, which in his opinion was a measure of encouragement and hope to the West-India Planters. It was the assertion of a great principle to be carried into execution by future measures; and a pledge which would soothe the feelings of those for whose benefit it was intended.

The Earl of *Shaftesbury*, in reply to the appeal of the noble Earl at the head of his Majesty's Government, said that, in his opinion, it was quite competent to their Lordships to introduce the proposed clause; for it should be recollected that it was not their own Bill, but sent up to them from the other House.

The House divided on the Motion: Contents 17; Not-contents 38—Majority 21.

Report agreed to with verbal Amendments.

HOUSE OF COMMONS,

Monday, August 19, 1833.

MINUTES.] Papers ordered. On the Motion of Mr. TOOKE, a Return of the Sums of Money received in the Office of the LORD CHANCELLOR'S Secretary of Lunatics, in 1830, 1831, 1832, and the first half of 1833.—On the Motion of Mr. BLAMIRE, the Names of the Parishes in which Tithe Suits had been commenced in the Court of Chancery of the County Palatine of Lancaster, between August 1830, and August 1833.—On the Motion of Mr. SPRING RICE, an Account of the Value of Gold coined at his Majesty's Mint, in each of the three years, 1830, 1831, and 1832.—On the Motion of Mr. HUME, the Amount advanced to the West-India Proprietors, from the Vote of 1,000,000*l*. in last Session.

Bills. Read a second time:—Civil List Charges; Tea Duties. Read a third time:—Church Building Act Amendment.

Petitions presented. By Sir FRANCIS BURDETT, from Chelsea, for an Inquiry into the State of the Sewer there.—By Mr. LITTLETON, from Leek, for being allowed to send a Member to Parliament if Stafford be disfranchised.—By Mr. LYNCH, from Galway, for a Revision of the Criminal Law; from Donegal and Killymard, for a Repeal of the Union.—By Mr. Secretary STANLEY, from a Baptist Congregation, Edinburgh, for the Abolition of Slavery; from Southport, for a Better Observance of the Sabbath.—By Sir SAMUEL WHALLEY, from a number of Individuals, for an Amendment of the Law; from the Overseers of St. Mary-le-bone, for Poor Laws to Ireland.—By Colonel EVANS, from St. Paul's, Covent Garden, for an Equalization of the Land Tax.—By Mr. C. J. KEMYSS TYNTE, from Chard, for the Establishment of Local Courts; and from the County of Somerset, for the Repeal of the Malt Tax.—By Mr. COBBETT, from twenty different Places or Individuals for as many different objects.

POST OFFICE.] Mr. *Tooke* presented a Petition from Mr. Oxenham, a Solicitor of Taunton, complaining that a parcel of deeds which he sent by the mail had been opened and detained because there were two letters inside. The letters related to the deeds and other business between him and his agent. The petitioner had received a letter from the Solicitor to the Post office, stating, that he had incurred two penalties. Soon after he received another letter, stating that the Postmaster-General would compromise the matter, by exacting only one penalty.

Mr. Secretary *Stanley* begged to make an explanation which had been furnished him by his noble friend, the Postmaster-General. The Post-office having the monopoly of carrying all letters and the Exchequer deriving a considerable amount of revenue from it, perhaps with less inconvenience than from any other mode, that monopoly must be strictly protected; and mercantile, commercial, and other houses, which transmitted a great number of letters, could not have facilities for evading the payment of letters, by sending them by parcels and by coach, while all other parties were obliged to pay. Perhaps the House was not aware of the extent to which the system of sending letters by parcels had been carried. It came to the knowledge of the Postmaster, that, at many of the principal coach-offices, bags were made up every day for the purpose of forwarding by coach paper parcels full of letters. Several of these parcels had been stopped and sent to the Postmaster. One parcel was found to contain forty-two letters, and another as many as 200. It was ascertained, that a bag had been regularly made up at the Gloucester and Bristol mail offices on the 31st of May, the day when the petitioner's letters were found; that bag contained sixty letters, and, on the following day, forty-two. They were in parcels of two, five, or six letters. There was no excuse that there was any additional speed or additional convenience by that system, because the letters were sent by the usual mail, only that every day the Post-office was defrauded. In consequence of this seizure of letters, the Postmaster-General was threatened with legal proceedings, to which the latter replied, he was anxious to meet the parties in order that the law might be known and established. However, no person thought proper to try the question; and the Postmaster-General therefore thought fit, in order to bring the question to an issue, to select a case for prosecution, and have the point decided at law—not with any vindictive feeling, or a desire to recover penalties, but only to let the public know, that such fraud could not be permitted to go on with impunity. On the 31st of May, two letters were put into a parcel with some deeds by Mr. Oxenham, the petitioner, addressed to his correspondent in London; but the hon. Member (Mr. Tooke) was wrong in stating, that both these letters referred to the deeds; only one referred to the deeds, and the other to some other business. The exception in the Act of Parliament related to letters referring to and accompanying goods sent by a common carrier, and not to deeds; but certainly it would be acting harshly if deeds were not considered in this respect in the light of goods. Mr. Oxenham called at the Post-office, and received his deeds, but copies were taken of the letters. He could not see that the Post-office department could do fairer than select this case of Mr. Oxenham upon which to try the merits of the question; and the House should bear in mind that the case was in course of trial.

Mr. *Hardy* said, that if the Post-offi had not the power of opening parcels to see whether a fraud was committed upon the public revenue in any case in which they had good reason to suspect that a fraud was attempted, he, for one, should be ready to give them that power. The accommodation which the Post-office afforded was most excellent, and he thought that fraud upon such an admirably conducted branch of the public service ought to be prevented. Any one had the power to send letters to any part of the country by a friend.

Petition laid on the Table.

CONDUCT OF A JUDGE.] Lord Althorp moved the Order of the Day for the House to go into Committee on Ways and Means.

Mr. *O'Dwyer* wished to bring under the notice of the right hon. Gentleman, the Secretary for Ireland, a report of a speech purporting to be a part of a charge delivered to the Grand Jury of Cork by a learned Judge (Baron Pennefather), and which he must say, if it were delivered by that learned Judge, could not be considered in any other light than as an interference with the privileges of that House. The learned Judge was reported to have alluded to the Irish Grand Jury Bill, which had passed that House, and which was in progress through the other House. In the course of his remarks, he stated, that in consequence of that Bill he supposed the present occasion would be the last on which he should have to address a Grand Jury composed of Gentlemen of property, as by the Bill in progress a preference would be given to men of small property.

Sir *E. Knatchbull* rose to order. The hon. Member was bringing a charge against a Judge of the land, and he put it to the House whether such a charge should be brought on a report in a newspaper.

The *Speaker* said, the hon. Member might ask a question without any preliminary remarks.

Mr. *O'Dwyer* would ask the right hon.

Gentleman whether he had any information as to a speech, said to have been delivered by Judge Pennefather to the Grand Jury at Cork, in which the learned Judge said, that he did not expect to have again the opportunity of addressing a Grand Jury composed of men of property; that the Bill (the Irish Grand Jury Bill) was an experiment in legislation, and that it would be found to be impracticable? He would ask, whether such a charge was delivered by the learned Judge, and, if so, whether he could lay an authentic copy of it before the House?

Mr. *Littleton* apprehended, that he had no right whatever to interfere with a speech delivered by a learned Judge. All he could say of it was, that he had read the report in the papers with great surprise.

Mr. *Shaw* considered the introduction of the subject and the manner of it extremely irregular. He was acquainted with the learned Judge whose name had been mentioned, and from what he knew of him he should think it very unlikely that he would use the language attributed to him in the report; but if he had made remarks on the tendency of the Irish Grand Jury Bill, he thought he had a perfect right to do so. The independence of the Judges was admitted and defended by all who valued the due administration of the law, but he could not see that independence if a Judge were to be called to account for any remarks addressed to a Grand Jury on a question in which such Jury must be deeply interested. Of this he was sure, that the learned Judge named had not gone beyond his duty.

The *Solicitor General* said, no one would stand up more firmly for the independence of the Judges than he would, but he must say, that a Judge would expose himself to deserved censure if he went out of his way to deliver opinions as a political partisan.

Mr. *Thomas Wallace* said, that the habit of Judges going out of their way to introduce remarks on political questions, in addressing Grand Juries, had of late grown to a monstrous and mischievous extent. Instead of confining themselves to the matter immediately before them, they occupied themselves in discussing politics, with which, in their judicial capacity, they ought to have nothing to do. As to the present case, he would say, that if the speech attributed to the learned Judge in the newspaper were a correct report, the Judge had grossly abused his duty; for certainly, as a Judge, his time and attention should be devoted to very different purposes. He would admit, that a great latitude should be allowed to Judges in their addresses to Juries, but politics should form no part of such addresses. All allusion to them as partisans was a departure from their duty.

Mr. *Cutlar Fergusson* was surprised to hear a learned Judge (Mr. Shaw), an hon. Member of that House, express such an opinion as that a Judge had not gone beyond his duty in referring to politics in his address to a Jury. If the learned Judge referred to had said only half of what had been attributed to him in the report, he (Mr. Cutlar Fergusson) would say, that he had done that which no Judge of this country would sanction. He hoped, that this would be a lesson to those venerable personages, and that they would not travel out of their duty by remarks which were not called for. Was it, he would ask, within the line of duty of the learned Judge in question to say to a Grand Jury, that he did not expect to have again to address gentlemen of property as Grand Jurors? Such language was most improper.

Mr. *Littleton* had not the power to take any step to ascertain whether such a speech was delivered by the learned Judge. All he knew of it was, that he had seen an account of it in the papers, which account he had read with regret.

The House resolved itself into a Committee of

WAYS AND MEANS.] Lord *Althorp* rose to submit the last proposition which he had to lay before the Committee of the Ways and Means, to meet the supplies already voted. The supplies which had been granted in the present Session for the year ending the 31st of March, were—

For the service of the army .	£ 6,654,818
For the navy	4,658,134
For the ordnance . . .	1,462,223
For the miscellaneous service .	1,845,312
Total .	£ 14,620,487
To this was to be added the estimated amount of interest on Exchequer Bills	615,000
Making the whole .	£ 15,235,487

To provide for these grants of supply there had been already voted in former Committees of Ways and Means—

	£
The annual payment by the India Company on account of half-pay	60,000
To be brought from the produce of the sugar duty	3,000,000
Estimated amount of repayment of loans for public works	150,000
Former grant from the consolidated fund	6,000,000
Making in the whole	9,210,000
To this he proposed to add a further grant from the consolidated fund, of	6,000,000
Which would bring the whole up to	15,210,000

This would make the whole sum drawn from the consolidated fund amount to 12,000,000*l.*; but that could not be considered too much when the Committee recollected that the surplus of that fund last year amounted to 14,000,000*l.* He would, therefore, without further remark, move, that towards raising the supply, there be issued and applied out of the consolidated fund of the United Kingdom of Great Britain and Ireland a sum not exceeding 6,000,000*l.*

Mr. *Herries* asked what provision had been made to meet the grant of 1,000,000*l.* for the payment of Irish tithes.

Lord *Althorp* said, that the surplus of the consolidated fund last year had exceeded the grants of supply, and this year it would be the same. At the present moment there was no surplus on account of the payments made in the beginning of the quarter; but he hoped that the sums drawn from the consolidated fund would be made good before the end of the present quarter, or at least before that of the quarter ending in January, 1834.

Mr. *Herries* did not know how far the grants out of the consolidated fund last year had been satisfied. He wished to know how far that fund stood pledged for the grants made from it. He would repeat his question, whether any provision had been made to meet the grant of 1,000,000*l.* for the Irish tithes?

Lord *Althorp:* Not any.

Mr. *Herries:* Then, we must have another budget for that.

Lord *Althorp:* It would be met by an issue of Exchequer-bills.

Mr. *Hume* did not understand, that even an issue of Exchequer-bills could be made without the authority of Parliament. He should wish to know from the noble Lord something on the subject of the grant of a million for the West-India interest. As to the grant of 20,000,000*l.* to be given, he would say nothing, for he thought it more than probable that it would not be called for. He should also wish to know whether any provision was to be made for meeting the 800,000*l.*, being that part of the Greek loan of 2,400,000*l.* for which this country had become a guarantee with France and Russia. That money he looked upon as so much thrown away. The money was all raised, and, of course, as guarantees, we should have to pay our share of it; for the revenue of Greece was not sufficient to meet the current expenses. It would have been much better if we had advanced the whole of our part at first, or raised it by loan here, by which we should have saved about twenty-five per cent; but instead of this we left the matter to be managed by Mr. Rothschild, and the consequence was we should lose to the amount he had said. He wished also to ask the noble Lord what chance there was of repayment of the 100,000*l.* advanced on arrears of Irish tithes last year.

Lord *Althorp* said, that it would not be necessary to make any provision with respect to the Greek loan. There was no money due on it yet, and would not be for some time, unless the Greek revenue, which was pledged for its repayment, should fail, which he hoped would not be the case. As to the million of money, it had been voted by a resolution of a Committee of the whole House, on which a Bill had been brought in, which was now in progress. It would not, therefore, be necessary to take any other vote for that.

Mr. *Herries:* Then it will be added to the unfunded debt?

Lord *Althorp* answered in the affirmative.

Mr. *Herries* wished to know in what state was the unfunded debt as compared with its amount last year?

Lord *Althorp* had not intended to go into any statement as to the whole financial state of the country, and was not prepared to enter into such details as the right hon. Gentleman seemed to wish for. He would, however, make a short statement as to the amount of income and expenditure as nearly as possible up to the present time. He had estimated the income of the year at 45,438,188*l.*; but since he had made that estimate, there was an alteration in consequence of the reduction of the House and Window duty. This would make a difference of 400,000*l.*, which would reduce the estimate to 45,038,188*l.* The consolidated fund he took at 30,300,000*l.*;

the supplies at 14,620,487*l.*; making a total of 44,920,487; that sum deducted from his estimated sum of 45,038,188*l.* would leave a surplus of 117,701*l.* This he would admit was a very small surplus. He had always said that a large surplus was not desirable, but he admitted that the present was a very small one, and too small as a general standard. Under the present circumstances of the financial state of the country, however, he thought it would be found sufficient. From calculations which had been made of the surplus in the quarters ending in April and July, the amount had been on the increase. In the quarter ending the 5th of April this year the amount of surplus was 1,487,143*l.*; in the quarter ending July 5, it was 1,501,933*l.*; showing an increase of 14,790*l.* But taking the calculation down to the 11th of the present month, which was the latest period to which he could make it up, he found it was still greater. He made his calculation thus:—The expenditure to 11th of August, 1832, was 20,298,837*l.*; to the same period this year, 19,953,537*l.*; being a decrease of expenditure, and so far a saving, of 345,300*l.*; Now, the income to the same time of 1832 was 15,548,232*l.*; that to the 11th of August, 1833, was 15,420,248*l.*; making a difference of 127,984*l.* This falling-off would be easily explained by the fact, that some of the reductions which had been made in the amount of taxation had fallen within the period to which the calculation was made up; but if from the diminution of expenditure to the 11th of August last year, of 345,300*l.*, there were deducted the decrease of income to the same period this year of 127,984*l.* there would be found a balance of 217,316*l.*; which would show that we were, as to surplus, better in the present year by that amount than in the last. He had, therefore, fair ground for calculating that in the progress of the year the surplus, which, under ordinary circumstances he would say was too small, would be found sufficient. As to the comparative, state of the unfunded debt between this year and the last, not being aware that such a statement was necessary, he had not prepared himself with the exact figures, and he had no accurate recollection of the amount.

Mr. *Warburton* thought, with reference to the Greek loan that the whole arrangement was ill advised and imprudent. If this Government had raised the part of the loan for which we were a guarantee, it would have prevented our loss from being as great as he feared it would be. We could have got 120*l.* for every 5*l.* of interest; but as it was, the loan was negotiated at the rate of from 90*l.* to 100*l*, for every 5*l.* of interest; so that we lost from 25*l.* to 26*l.* on every such 5*l.* interest, in that way alone; and he feared we should at length lose the whole.

The Resolution agreed to, and the House resumed.

RENEWAL OF THE BANK CHARTER.] Lord Althorp moved the third reading of this Bill.

Mr. *Cobbett* rose to move as an Amendment, that the Bill be read a third time that day six months. He was ready to state to the House the grounds on which he moved that Amendment, but if he did he must go into the whole question. The principal objection was to the legal tender. He did not object to the renewal of the charter, nor to the establishment of joint-stock banks, for he knew nothing about them, but he did object to the making Bank of England paper a legal tender. He would contend that, in doing so, they usurped the King's prerogative in changing the coin of the country, and that they had no right to do so. He repeated, that he objected to the making Bank-notes, which might be issued without restriction, a legal tender. The noble Lord had stated, over and over again, that the Bank would always know, from the state of the foreign exchanges, how to regulate the amount of its issues; but if the noble Lord thought so, he had never been more deceived upon any point in his life. The present measure went to make an alteration in the value of the King's coin, and in defence of it they were told, that it was an alteration proposed for the relief of the country. The noble Lord must know, that such was the expression of all those who were in favour of this Bill, at least out of that House. It was to relieve the country, they said. How? By making money more plentiful. the taxes lighter, and the people more able to pay them. Such was the object of this measure, according to many persons in that House, and according to all its advocates out of it. The only way in which it could effect what was expected from it was by lowering the value of money, and therefore certain danger would come from the Bill, for it would be impossible to relax the currency without producing danger. For his own part, if he were to give way to his own feelings, and not to consult the wishes and interests of his constituents, he should rejoice at the passing of this Bill, for, in the first place, it declared that the interest of the debt could never again be paid in gold. It further declared that Peel's Bill never could be carried into effect, and though the right hon. member for Cambridge seemed to have a design upon his life, so eager was he on every occasion to enter the lists with him, yet he would state, even in his presence, that if this Bill should pass, it would establish his (Mr. Cobbett's) reputation as a prophet. He was on the other side of the Atlantic when Peel's Bill was passed, and he then said at once that it never could be carried into full effect since; and it never had been carried into effect. That Bill proposed two things—namely, that legal tenders should cease and that the notes should cease. But 1*l.* notes had never yet ceased in England, Ireland, and Scotland, and now it was proposed that they should come back to the legal tender in England. So that ten years had scarcely elapsed since the passing of Peel's Bill when it was proposed actually to repeal it. When the present measure passed, he would certainly celebrate the feast of the gridiron. This measure involved a positive breach of the national faith. It would raise prices, said its advocates, but how would it raise them? By lowering, in the most arbitrary manner, the value of money. The effect of it would be to deduct from the interest of the debt, and to reduce every debt, annuity, and mortgage. There was another effect that might, with certainty, be expected from this measure—namely, an immense increase in the amount of forgeries. We should not always be at peace. We must some time or other, look forward to being at war, and when at war, what was to hinder the foreign nations opposed to us from inundating us with forgeries of our "legal tender?" He heard what had just been said by the right hon. Secretary (Mr. Spring Rice). The right hon. Secretary was wrong. He did not recommend the adoption of such a system on the part of foreign nations; but, whether he did so or not, they might resort to it, and he must say, that if they did he should not be sorry to see it done. If it should be done, the effect of it would be to blow up altogether our legal tender system. This Bill was a mere expedient to put off the evil day, and it was an expedient that was full of danger. He would therefore move, that it be read a third time that day six months.

Mr. *Clay* had intended to make a similar Motion, had he not been anticipated by the hon. member for Oldham. He did not mean to follow that hon. Member through all his statements, though he nearly concurred in all of them. The hon. Member had put forth his statements rather too strongly, since he believed that the noble Lord (Lord Althorp) did not intend to establish the non-convertibility of paper into gold. He confessed, however, without going so far as the hon. member for Oldham, that the measure would have a tendency to limit the convertibility of paper. One of his chief reasons for rejecting the measure was, that he did not see why they should ratify a bargain that nobody seemed willing to consent to. He believed that there was a large majority of persons both in that House and out of it, who did not consider the bargain an advantageous one for the country. He might include in the number of those who held such an opinion, even the noble Lord who had brought in the measure. However, he would not have seconded the Amendment before the House, had he found that the great corporation of the Bank were satisfied with the measure. But they were not; at least they publicly said so. For they now thought, that the noble Lord was consenting to an interpretation of their privileges in a way which went to break the bargain as it was originally agreed to. At a meeting last week, the following resolution was come to by the Bank proprietors—they say, "That this Court feels itself bound in justice to its own character, to protest against the treatment it has experienced at the hands of the Chancellor of the Exchequer, who has, in the opinion of this Court, most improperly and unjustly departed from the terms of his own proposition; and after having engaged to grant certain privileges to the Bank, on consideration of stipulated pecuniary concessions, has since determined to withhold from the Bank some of the most important of those privileges, without making a corresponding abatement in the pecuniary concession. That, although this course of procedure, and the violation of the contract, fully justified the Bank in rejecting the arrangement *in toto*, this Court, considering the extensive injury to the public interest that might be the result, and considering that a new range of prices had been made up in the conviction that the question was settled, is unwilling to assert its undoubted rights at such hazard, and authorizes the Court of Directors to submit to the arrangement." It was quite clear, then, that the Bank did not think it was bound to ratify the bargain now made by the noble Lord. That was at least his view, and he thought the House ought to support that view. The hon. and learned Member opposite (the Solicitor General) had stated the other morning, that, without trenching on the privileges of the Bank, there might be established banks of deposit within sixty five miles of London. He himself was of that opinion, and such he knew was the opinion of several able legal gentlemen; yet the question was doubtful and contested; and he thought the noble Lord would not be doing his duty to the banking interest of the metropolis, or of the country at large, if he allowed the point to remain any longer in doubt. If the Bank thought that Government, in adopting that interpretation, was departing from the original stipulations — and the Bank stated, verbally and in writing, that such was its opinion—the bargain ought not to be forced upon it. The Bank was unwilling to accept it, and said, that the reason why it consented was its care for the public; it did not even use the word consent; but the word submit. Now, he wished to relieve the Bank from all such disinterested care and concern for the public interests, when he asked the House not to force on that much injured body the ratification of the bargain. This coquetry on the part of the Bank proprietors made him still more indisposed to ratify the bargain with them, which bargain he believed advantageous to them, and injurious to the public. He thought the House now could, since the Bank proprietors declared themselves unwilling to accede to the bargain—he thought the House had now an excellent opportunity of departing from the bargain, without any breach of faith towards the Bank. He trusted, that his Majesty's legal advisers in that House would state their opinion how far the privileges of the Bank were interfered with by the clause allowing banks of deposit to be established in London, and within sixty-five miles of it. He had felt much fear before as to the effects of the legal tender clause, and that fear was much increased since he saw that it had already given rise to a mania of speculation. It had raised the prices of all commodities used in the large manufactories. He did not know what the noble Lord meant to say to that part of the Bank Proprietors' Resolution which mentioned a new range of prices. But he knew that the prices of raw material had risen thirty or forty, and, in some instances, 100 per cent—he knew that the hours of labour were being now restricted by manufacturers, and he knew that the consequence would be an increased importation of articles from abroad. As the effect of the measure would be to raise prices, not only at present but for the future, he thought he might safely tell the noble Lord to expect next winter a great change in the commercial transactions of the country, and not to be surprised if his measure should be accompanied by wide-spreading distress. The noble Lord would not relieve any of the evils he apprehended, for one of the great remedies for all the evils of banking, was the immediate convertibility of paper into gold. That ought never to have been lost sight of, and to hold over the head of the Bank the dread of a drain for gold was the only means to make it careful not to put into circulation too many notes. He had, however, one consolation—the Bill was not to come into operation until the year 1834, and he felt convinced that, in the mean time, public feeling would be so strongly pronounced against it, that both the noble Lord, and those with whom he acted, would listen to the voice of the public, and consent to abandon this part of the measure. He solemnly protested against passing it in the present shape, and so far from thinking that to defer the measure would be injurious to the country, he felt sure that to put it off, would be advantageous to the commercial and manufacturing interests of the kingdom, since it would put a stop to that dangerous mania for speculation which he had already alluded to. By this measure faith was broken with the country, since debts contracted in another way were to be paid in paper, and since it would diminish a metallic standard—the only one on which a sound currency superstructure could be raised. He agreed, therefore, with the Amendment of the hon. member for Oldham, and would vote that the Bill be read a second time that day six months.

Mr. *Fryer* said, he would not oppose the Bill; but he would recommend his Majesty to provide a considerable issue of silver money in crown pieces, to meet the amount of gold that might be substracted from the country, silver money would be much more convenient than gold for the payment of wages. One effect of the provision which he recommended Ministers to make would be, that if, in consequence of the turning of the foreign exchanges against us, the gold should go out of the country, the silver that would remain would be sufficient to pay the wages of the labourers. The country bankers under such circumstances, would be obliged to get their silver from the branch banks by giving gold for it. The result of the adoption of this plan would be, that in time it would bring about what he thought should be established—namely, a silver tender instead of a gold one.

Mr. *Herries* would not at this stage of the Bill, and at the present advanced period of the Session, take up the time of the House with any lengthened observations on this subject. With respect to the legal-tender clause, however strong his objections, he would not then go into it, seeing that that part of the measure would be open to revision in the next Session of Parliament, on the occasion of the introduction of those parts of the measure which had been postponed till then; and even should such an occasion not arise, if those evils which he anticipated would follow from this legal-tender clause should have come into operation, as he had no doubt they would, he trusted to the good sense and wisdom of Parliament to provide a remedy for them. The House was now called upon to pass an Act of the greatest importance to this commercial community. He would not say it was unjust towards the Bank, because that Act, if even one of injustice, was not an act of injustice on the part of the House of Commons. He personally felt satisfied, that it was not consistent with the dignity of the House to be parties to forcing upon any body of men an act which that body, reluctantly submitting to it, declared, as they had declared, to be one of injustice. The Bank of England said they submitted most reluctantly, and, at the same time, protesting against the justice of the proceeding; but it was satisfactory that their complaints were not directed against the Commons House of Parliament, but against the noble Lord by whom the bargain with them had been made, and who was stated to have made to them specific promises which the noble Lord had failed to perform. With that part of the question he (Mr. Herries) had now nothing to do, and if he should be satisfied from the answer of the noble Lord the Chancellor of the Exchequer, or the hon. and learned Gentleman near him (the Solicitor General), that there was nothing in the Bill itself, or the clause which had been introduced, at all at variance with the law of the land as it at present existed, he should with perfect satisfaction give his assent to the third reading of this Bill. But the House at present stood in a most unsatisfactory position with respect to the provisions of this Bill, inasmuch as a great diversity and variety of opinion prevailed in the judgments of the most learned persons in the country, who were the most competent to give an opinion upon such a subject. He could not but lament that the Bill and the clause introduced in Committee, not being as yet in print, were not sufficiently circulated or understood by hon. Members. He had himself felt the want of this; but having been supplied with a rough draught of the clause in question, he had been enabled to give it some consideration. On that consideration great doubts had arisen in his mind which he should be glad to have removed, or rather the provisions explained by the law officers of the Crown. He had looked (and with great respect to the eminent legal opinions which had been given upon it) to the point in issue between the noble Lord the Chancellor of the Exchequer, and the Bank of England—namely, whether the clause which had been inserted coincided with the laws which existed before the introduction of this Bill. Now, as he had read the former enactments, it appeared to him that something was proposed to be granted as a privilege to the Bank of England which the present Bill would have the effect of removing and which it was the intention of the present Bill to prohibit. When he formed this judgment he had looked to the statutes 39th and 40th of George 3rd, and he considered the privilege granted under those statutes to be, as the words of the old Act of William repeated in the subsequent Acts conveyed. "That no other bank or any other corporation, society, fellowship, company, or constitution, in the nature of a bank, shall be erected or established, permitted, suffered, countenanced, or allowed, by Act of Parliament within this kingdom." These words he conceived to be distinct and clear; but if any doubt prevailed, it was solved by the words which followed:—"That it shall not be lawful for any body, politic or corporate, whatsoever, erected, or to be erected, other than the said Governor and company of the Bank of England, or for other persons whatsoever united, or to be united, in covenant or partnership exceeding the number of six persons in that part of Great Britain called England, to borrow, owe, or take up any sum or sums of money on their bills or notes payable on demand, or at any less time than six months from the borrowing thereof." If the clause which had been introduced in Committee went no further than to declare the law as provided by these enactments, and to enable parties in partnership, not under the authority of Parliament, to do all those things not restricted by these Acts, then he should at once say his opinion fully coincided with that of the framer of the Bill. But in this respect he had great doubts, admitting as he did that he was speaking subject to correction, and without any perfect acquaintance with the Act itself, from the causes he had already mentioned. He was of opinion that the clause in question was at variance with the law as it at present existed. If he was satisfied that no Joint-stock bank, deriving its powers and privileges from Parliament, could be established within sixty-five miles of London, and that bankers only enjoying the privileges afforded by the ordinary law, as associated individuals, embarked in a particular trade or calling, then he should be prepared to admit, that there had been no infringement of the law in the proposed clause as it regarded the Bank of England. He doubted much, however, whether Joint-stock banks might not, under the clause, be established within the prescribed limits. He had felt it his duty to call the attention of the hon. and learned Solicitor General to these points, or he should not have trespassed upon the attention of the House. He regretted, and he was sure even the noble Lord, the Chancellor of the Exchequer, himself must now entertain some regret, that he had not acceded to the proposition for the appointment of a Committee of the House of Commons, during the present Session, on a question of such vast importance, before he had adopted the final determination of bringing forward this measure. He must observe, that unless these doubts which he had expressed were cleared away and removed from the minds of those who looked upon the question not as partisans of the Bank, but merely with a view that justice should be done on the present occasion, he for one must vote (as we understood) against the Bill.

Lord *Althorp*, before addressing himself to the objections of the right hon. Gentleman who had last spoken, wished to answer the objections of the hon. member for Oldham. The hon. member for Oldham had assumed that the only object of making Bank of England paper a legal tender was to depreciate the currency. No one would more readily admit than he (Lord Althorp) that such an effect, if it did follow upon this measure, would be a great evil: but as he could not admit the premises of the hon. Member, neither could he admit his conclusions; and his own sincere opinion was, there was nothing in this measure which would have the effect of depreciating the currency. He was sorry to take away the character which the hon. Member had assumed, of being a prophet; but he (Lord Althorp) remembered that the hon. Member, in alluding to a speech delivered in that House by a former Chancellor of the Exchequer, in which he had spoken of the prosperity of the country, had prophesied that, within two years, there would be a convulsion in the country. Now, unfortunately, the hon. Member had made a mistake in the date, as that speech was made in 1825. There was another prophecy made by the hon. Member of this kind—that if ever the currency ceased to be deficient, or if the monetary system were put upon a right footing, the prophet would allow himself to be burnt upon his own gridiron. Now, according to the hon. Member's own showing, the monetary system had attained the very best footing, so that the prophecy had come to pass. The hon. Gentleman had said, that exchanges could not regulate the currency. Now, he (Lord Althorp) maintained, that if the exchanges had been in proper operation in 1825, the calamities of that year would never have occurred. If, therefore, the experience of those years were quoted, the conclusion to be drawn from them would not be right. He (Lord Althorp) would say, that if the exchanges did not regulate the currency, he did not know what would. He did not think that while the bank-note was convertible into gold at the bank, the making it a legal tender elsewhere could effect a depreciation in the currency. He conceived that the general rise in prices which would undoubtedly follow upon a general depreciation of the currency—for a depreciation of the currency could not take place without a general rise in the price of commodities—a demand would immediately be made for gold at the bank, which would immediately bring things to their former level. He, therefore, conceived, that there was no danger on this account. With respect to the objections brought by the hon. member for the Tower Hamlets, that hon. Member seemed to concur with the hon. member for Oldham in his objections to making Bank of England notes a legal tender in the country; and he also objected to going on with the measure, in consequence of what had taken place at the Bank meeting. He, however, thought that nothing could be more unwise than for Parliament to act upon anything which had taken place elsewhere, or on any expression made use of in another place, even if it had reference to the dignity of the House itself, and far less if it had merely reference to the acts of an individual Member of the House. There had been a mistake regarding an expression made use of at that Court, on the subject of legal tender, by one of the Gentlemen present. That Gentleman had only said, that legal tender would increase the quantity of paper in circulation. With respect to the expressions made use of at the Bank meeting regarding himself, they had been made use of by persons for whom he felt great respect, and he could not help feeling a regret that they had been spoken; but, believing that they had been spoken in the heat of argument, and recollecting what had been said by the same Gentleman at a subsequent meeting, he (Lord Althorp) did not consider it necessary to take any further notice of them, and he would therefore say no more upon the subject. With regard to the speech of the right hon. Gentleman who last spoke, he could state it as his own opinion—and in that opinion he was joined by his hon. and learned friend the Solicitor General—that any number of parties might carry on business as a banking company, notwithstanding the present Charter. He admitted, that contrary opinions had been given on this subject, of which he had not previously been aware, when he stated that no barrister had given a different opinion from what he then stated. He was certainly mistaken as to the opinion of the hon. and learned member for Norwich upon the subject, and when he found that hon. and learned Member's opinion and that of Sir Edward Sugden, were different from his own, it was impossible that they could not have weight with him. He did not, therefore, wish to rely on his own opinion alone, but he had gone through all the Acts of Parliament upon the subject, in order to make up his mind, if possible, upon the subject, and his conviction now was, that no part of the Clause in question contained any infringement of the privileges which the Bank heretofore possessed. He admitted, however, that he should have been guilty of a breach of faith towards the Bank if the clause took away any right which the Bank previously possessed. The only way in which they could come to a right understanding of this subject was by examining the Acts of Parliament which conferred the right on the Bank. The first Act passed upon this subject said nothing regarding any exclusive privilege whatsoever—it was the second Act which gave to the Bank its exclusive privileges. Now, the question was, what was meant by those exclusive privileges? It was unnecessary for him to tell the House, that in the Act of William 3rd, which is the time when this privilege was given, the company was described as Goldsmiths, not as bankers, and the words of the Act were, that no other Bank should be allowed by Act of Parliament. The provision did not apply, therefore, to private bankers, but to corporate bodies, formed for the purpose of banking. If it had been otherwise, there would not be a private banker in London at this day who would not be carrying on his business in opposition to the law, and the consequence of such an interpretation of the Act would be, not only that all private bankers in London, but all private bankers throughout England would be contrary to law. In the first Act, too, there was nothing said of the number of partners; so that if this interpretation were put upon the Clause, not only would all banking establishments consisting of more than six partners be illegal, but every establishment of whatever kind, even if it had only one partner, would be against the provisions of the Act. The number of partners was, in the subsequent Act, limited to six, but the original privileges granted were not touched by it. The only object of the second Act being to prevent companies, consisting of more than six partners, from borrowing, owing, or taking up money. These two Acts were joined by the 39th and 40th George 3rd, which merely repeated the provisions of the former Acts, and brought them together into one Act. The Bank was then to have all the privileges which it formerly had under those Acts, and these merely were that no company consisting of more than six partners, should have a bank of issue; the general term of banking applying at that time only to that species of banking. The effect of their exclusive right would be not only to prevent any Corporation, but to prevent any number of partners, from carrying on a banking company. Now the clause proposed only declared that any number of persons might enter into a partnership together, for the purpose of carrying on a banking concern. The right hon. Gentleman appeared alarmed with the words "Bodies corporate and politic," but there was nothing in this clause which gave greater sanction to these banks than before. He felt that it was very difficult for him to explain his sentiments upon this subject, but he could assure the House, that it was his firm conviction, that the Bank of England would not be deprived of any of its privileges by this clause.

The *Attorney General* observed, that the Act of William 3rd was the source of the formation of the Bank of England, and it should not be forgotten what was the state of the law at that period with regard to the business of banking. The first privilege extended to the Bank of England was by the 5th of William 3rd, which imposed the first restrictions upon banking establishments; and he thought that Act would be found to contain nothing more than a parliamentary pledge to erect the Bank of England into a Company, and never to give countenance to any Act by which any other similar body should be erected into a company. Before that Act passed, he thought it was clear that any body, from two to one hundred and upwards, might form banking companies. Now if the construction of the law urged on the other side availed at all, it would interdict private banking just as much as the formation of any company formed of from two, to twenty, or one hundred individuals; but he must maintain, that nothing was given by that Act but a pledge that the Legislature would not pass any Act for the formation of any company to compete with the Bank of England; and he must equally maintain that Parliament had redeemed that pledge. The next statute (the 7th of Queen Anne) recognized, that banking companies existed, and without at all restricting the number of the parties concerned, only deprived them of the power of issuing paper payable on demand. The principle of these three Acts was not departed from in the present Bill, which only limited companies to being banks of deposit.

Mr. *Abel Smith* was understood to say, that he was authorized by his friend the Bank Director to whom the noble Lord had alluded to express his regret for the expressions which he had made use of a few days since at the meeting of bank proprietors, though his opinions with respect to the conduct of Government remained unchanged. He himself also wished it to be understood, that upon that occasion he had no intention of saying anything personally offensive to the noble Lord. The bargain between the noble Lord and the Bank was made under the impression that the law was different from what it now appeared to be, and under these circumstances he thought that when the bargain was altered, the Bank ought to have received some compensation for the advantage which they were to be deprived of. The hon. member for the Tower Hamlets had not acted fairly in reading only one of the resolutions agreed to in the Bank parlour, from which the assent given by the Bank to the bargain in its altered form appeared to rest on grounds different from that upon which it really stood. Surely the Bank was not to be condemned for expressing sympathy for the interests of the country generally. The Bank proprietors felt that, whether the measure was good or bad for the Bank, it was a matter of the deepest importance to the country, and that its delay would be injurious to the monied interest from one end of the kingdom to the other; and on these grounds the Bank proprietors expressed an opinion that the arrangement should be acceded to.

The *Solicitor General* said, that after the most deliberate and dispassionate consideration, he was confirmed in the opinion which he had recently expressed. That opinion was wholly unbiassed; and if he had any wish on the subject, it was that he could have concurred in the view which had originally been taken of it. He was decidedly of opinion, that the establishment of joint-stock banks of deposit consisting of more than six partners within sixty-five miles of London, had never been prohibited by law, and that of course they could at any time have been legally established.

Mr. *Robinson*, in coming to a decision on the question that the Bill be read a third time, would be governed only by considerations of public expediency, without reference to what had recently passed elsewhere. He thought, that the hon. member for Oldham had greatly exaggerated the apprehensions which ought to be entertained with respect to the legal-tender clause. If anything like the depreciation of the currency which he anticipated from that measure were likely to occur, the Table of the House would have been covered with petitions, praying that it might be postponed. The question was, whether, after such efforts had been made to bring the measure to maturity, it was desirable now to postpone it without any demand to that effect from the people. What security could the advocates of postponement offer that a more beneficial measure would be brought forward next Session. The only thing which the public could hope to gain by postponement was a better pecuniary bargain: but that ought not to be put in competition with the mischief of thus keeping all the great interests of the country in a state of feverish uncertainty. In reference to what the hon. member for the Tower Hamlets had stated as to speculation, he begged to state that speculation had commenced before the Bill was introduced, and originated in causes which had no connexion with the renewal of the Bank Charter. One might suppose, from hearing what had been said on the subject of the legal-tender clause, that it would act like another Bank Restriction Act, whereas, in fact, it would only render it necessary for people in the country to send their notes to London to be exchanged for gold, instead of having them changed upon the spot.

Mr. *Alderman Thompson* thought, that when the opinion of two such eminent lawyers as Sir James Scarlett and Sir Edward Sugden was at variance with that of the law officers of the Crown as to the point in dispute between the Bank and the Government, it would have been better to have passed a law to determine a point, rather than to have effected that object by a declaratory clause, as was now proposed.

Mr. *Matthias Attwood* said, it appeared clearly to him, that much more deliberation would be necessary before this Bill were sent up to the other House of Parliament. Whether the Banking-laws which had previously existed were wise or absurd was not the question now before the House; indeed, under existing circumstances, the great question for consideration was, whether, at this late period of the Session, such a question should have been submitted to Parliament. Taking the conduct of the Government altogether upon this question, it was one of procrastination, danger, and disorder; and in truth there was too much business of serious importance now before the House to admit of this Bill being as fully discussed as it would necessarily be in the course of the next Session. In discussing the question of joint-stock bank companies of deposit in London the opinions of lawyers should not be especially regarded; for in fact, the common sense of bankers, of traders, and merchants generally, could much better decide the question. If lawyers had been consulted before the bargain was made by the Government with the Bank there might have been something in it, but in the present state of the case the opinion of lawyers could be of little or no advantage. The Bank had charged the Chancellor of the Exchequer with a breach of faith in this transaction, and particularly as to making the Bank of England the only joint-stock bank for deposits to vest in the Bank of England. He could not say whether the case exactly stood as it was stated between the Bank and the noble Lord; but if the letter of the noble Lord was to be relied upon as evidence in this case, the noble Lord might plead guilty. A bargain was made by the noble Lord; it was admitted by him; and the only ground upon which he refused acceding to it was, that some previous bargain had been made some thirty years ago upon this subject with which he was not previously acquainted. That, however, could be no answer to the Bank, to whom a positive pledge had been given. Legal subtleties, as he had before said, could have nothing to do with the consideration of this question. It was clear and plain; it was one of justice and honesty; but it was one at the same time, of vital importance, not only to the bankers, but the general commercial interests of the country. The Bank of England had to work great operations either for the good or evil of the country at large; and he hoped that no hasty conclusion would be come to on this most important of all occasions. This was not a question merely affecting the Bank proprietors, but it affected every bargain and sale throughout the whole of thecountry, and, indeed, the property of the British world at large. This question involved the consideration of the whole of our monetary system, and of the enterprise and industry of the people of this great country. The Bank Directors considered that their system had been the means of conferring great prosperity upon the country: large issues took place from 1823 to 1824 and 1825, and the result was, that speculation and distress followed such over issues. Such a power should not be granted to any body, even though it were as respectable as that of the Bank of England. The question was, no doubt, one of difficulty, but not of such great difficulty that it could not be dealt with by the Parliament of England. The price of Bank Stock had risen; but in what other cases had the prices of other commodities equally risen? The course of the Government was one of vacillation, inconsistency, and disorder; and yet, rather than let things remain unsettled, he would support the third reading of this Bill.

Mr. *Hume* said, that the speech of the hon. Member was strongly in favour of the rejection of the Bill, although the hon. Member said he would vote for the third reading. He (Mr. Hume) objected to this Bill on two grounds—first, because the Government had made a bad bargain with the Bank; and, secondly, because it would interfere with the currency of the country; and he would further say, that there were so few Members present, that the Bill ought not to pass. To the legal-tender clause he would give his most decided opposition. He had many other objections to the Bill, but, at this period of the Session, he would content himself with making those few observations in opposition to this Bill, which he considered to be objectionable in every possible point of view. No mischief could come from deferring its consideration until next Session.

Mr. *Hawes* had a most decided objection to the legal tender clause as it existed in this Bill. If it were continued, Bank paper could not be converted into gold, and, above all, small dealings must entirely be carried on in an inconvertible paper currency. If this clause were carried, the inevitable result would be, he was afraid, to have a re-issue of 1*l.* notes. If the metallic currency were again destroyed, the effect would be, to create at once high prices and high rents. This clause ought to be postponed; it was not necessary; and certainly he would vote against it.

A division took place on the Amendment—Ayes 23; Noes 93: Majority 70.

Mr. *George Wood* would move the insertion of words in this Bill to guard against any claim for compensation on the part of the Bank, if, at any time during the continuance of the Charter, Parliament should think fit to repeal or modify the enactment making the Bank of England notes a legal tender. He would also move the addition of a clause, providing that so long as the Bank of England notes continue a legal tender, the Bank shall be required to continue branch banks for purposes of business at convenient stations in different parts of the kingdom. The hon. Member moved the last Amendment he had described.

Mr. *Cobbett* seconded the Motion. He observed, that the noble Lord supported the Bill on the ground that it would not occasion a depreciation and rise of prices; he thought it would; the House had voted with the noble Lord, but had done so from taking his (Mr. Cobbett's) view of the subject, believing it would occasion a rise of prices. If the Bill did occasion a rise of prices, it would produce great distress. He wished the House to remember that he opposed this Bill, and that the noble Lord said there would be no depreciation.

Mr. *Poulett Thomson* said, that the clause was useless for the object which the hon. Member had in view. He wished to preserve the branch banks, and that the same facility should be afforded by them as now existed. But the clause would not effect that; for all the clause enacted was, that branch banks should exist in certain places. If the Bank found it to be its interest to carry on branch banks, it would do so; if not, in spite of the clause, the branch banks would be merely nominal; the clause did not compel the banks to do business and issue notes for which they would be compelled to give gold. On this ground he objected to the clause. So important did he think the legal tender clause to the Bill, that he should be unwilling to give the monopoly to the Bank, unless it was accompanied by a provision for making its paper a legal tender, which was necessary for the security of a single bank of issue; it was not done for the purpose of introducing a large supply of paper, and least of all a depreciation.

Mr. Alderman *Thompson* protested against the Bank being compelled to keep up establishments which the wants of the public might not require, and which might be inconsistent with its own interests.

Mr. *Matthias Attwood* was of opinion, that the notes of the branch banks ought to be payable in London, otherwise notes issued in any corner of the kingdom would be a legal tender, from York to Cornwall, although only payable at the place of issue—a system that must be attended with great inconvenience.

The House divided on the Clause—Ayes 19; Noes 98: Majority 79.

Mr. *Warburton* moved to omit the legal-tender clause altogether. He did so upon three grounds:—The prospect of this clause had already conduced to a rise of prices, and had a direct tendency to increase speculations of every kind; it must in future create great vacillation of prices—in the second place, legal tender dissociated in the feelings of the people the convertibility of paper into sovereigns, and tended directly to get rid of a metallic currency—lastly, the result of the system, if once established, must be an increase of forgery and crime. He was determined to give the House an opportunity of voting against a clause from the adoption of which evils of great magnitude must, in his opinion, inevitably result.

Mr. Hume seconded the Motion.

The House divided on the Motion—Ayes 35; Noes 82: Majority 47.

Bill read a third time and passed.

List of the Ayes.

Aglionby, H. A.
Baillie, F. A.
Bewes, T.
Blake, Sir F.
Briggs, R.
Brocklehurst, J.
Brotherton, J.
Clay, W.
Cobbett, W.
Divett, E.
Ellis, W.
Ewart, William
Fielden, J.
Forster, C. S.
Grote, G.
Harvey, D. W.
Hawes, B.
Heathcote, J. J.
Howard, P. H.
Humphery, J.
Jephson, C. D. O.
Lloyd, J. H.
Morrison, J.
O'Reilly, W.
Philips, M.
Potter, R.
Pryme, G.
Ruthven, E.
Sheppard, T.
Vigors, N. A.
Wallace, T.
Walter, J.
Williams, Col.
Willoughby, Sir H.
Wood, G. W.

TELLERS.

Hume, J.
Warburton, H.

Arrears of Tithes (Ireland.)] The Order of the Day for the adjourned debate on the further consideration of the Report on this Bill having been read,

Mr. *Hume* expressed his determination to divide the House on his Amendment, that it be an instruction to the Committee to provide for the repayment of this money, charging upon the temporalities of the Irish Church all sums advanced under the Bill, and not repaid by the tithe-owners.

The House divided on this Motion—Ayes 42; Noes 69: Majority 27.

List of the Ayes.

ENGLAND.

Aglionby, H. A.
Attwood, T.
Bewes, T.
Blamire, W.
Briggs, R.
Brocklehurst, J.
Brotherton, J.
Clay, W.
Cobbett, W.
Divett, E.
Ellis, W.
Ewart, W.
Fielden, J.
Grote, G.
Harvey, D. W.
Heathcote, J.
Humphery, J.
Lamont, N.
Lloyd, J. H.
Morrison, J.
Parrott, J.
Philips, M.
Potter, R.
Pryme, G.
Robinson, G. R.
Romilly, J.
Scholefield, J.
Thompson, Alderman
Todd, R.
Torrens, Col.
Tynte, C. J. K.
Walter, J.
Williams, Col.
Wood, G. W.
Young, G. F.

SCOTLAND.
Hallyburton, Hon. D.
Maxwell, J.
IRELAND.
Blake, M.
O'Dwyer, A. C.
Vigors, N. A.
Wallace, T.
TELLERS.
Hume, J.
Warburton, H.

Paired off.

Hall, B.
Sinclair, G.
Tooke, William

The House in Committee.

On Clause 25 being put.

Mr. *O'Ferrall* objected to the clause, on the ground that it gave the landlords the same power to recover tithes from their tenants as they already possessed with regard to their rents. He was determined to take the sense of the Committee upon it.

The Committee divided on the Clause—Ayes 52; Noes 12: Majority 40.

The Clause to stand part of the Bill.

Mr. *Blake* moved an Amendment to the effect that the expenses of carrying the Act into effect should be chargeable upon the Church of Ireland.

The Committee divided on the Amendment—Ayes 18; Noes 49: Majority 31.

The remainder of the Clauses agreed to.

The House resumed.

List of the AYES.

Aglionby, H. A.
Arbuthnot, General
Brocklehurst, J.
Brotherton, J.
Divett, Edward
Evans, Colonel
Fielden, J.
Gordon, Captain
Grote, G.
Hume, J.
Lloyd, J. H.
O'Dwyer, C. A.
O'Ferrall, M.
O'Reilly, W.
Ruthven, E. S.
Sullivan, R.
Vigors, N.
Wallace, T.
Warburton, H.
TELLER.
Blake, M.

HOUSE OF LORDS,

Tuesday, August 20, 1833.

MINUTES.] Bills. Read a third time:—Burgh Magistrates; Grand Juries (Ireland); City of London Scavage and Package; Uniformity of Process; Customs' Acts' Repeal.

Petitions presented. By the Duke of WELLINGTON, from the Operatives of Rochdale, against the Factories' Regulation Bill.

MINISTERIAL PLAN FOR THE ABOLITION OF SLAVERY.] The Earl of Ripon moved the third reading of this Bill.

Lord *Wynford* would not after the long discussions which had already taken place, oppose the third reading of it. He gave notice, however, that he would early in the next Session move for leave to bring in a Bill to prevent the introduction into this country of anything the produce of slave labour. His object was to completely prevent us from being contaminated with slavery.

Bill read a third time and passed.

ROMAN CATHOLIC MARRIAGES.] The Marquess of Clanricarde moved the second reading of the Roman Catholic Marriages Bill.

Lord *Wynford* opposed the Motion. It would get rid at once, and without due consideration of all the marriage laws in Ireland. He should certainly approve of the introduction next Session of a measure to amend those laws. The present Bill did not make irregular marriages void, but, on the contrary, rendered them valid, and at the same time took away the penalties attached to those who performed them. The Bill in short, got rid of the whole Marriage Law of England at one single stroke; and it was in every respect a Bill which ought not to be passed at so late a period of the Session. He should move, that it be read this day six months.

Lord *Plunkett* contended, that the noble Lord who had just sat down was altogether in error in the view he had taken of the Bill. The common law of Ireland was the common law of Scotland at present, and what the common law of England had formerly been. The present Bill repealed only four Statutes, the 6th of Anne, by which Catholic Priests celebrating marriages with Protestants were liable to be transported; the 12th George 1st, by which for the same offence, they were liable to the punishment of death; the 19th George 2nd, by which a penalty of 500*l.* was attached to the offence; and lastly, the Act 33 George 3rd, which in fact was the first Act which restricted the penal severities against Irish Roman Catholics.

The Bishop of *Hereford* meant to support the Bill to which he thought no reasonable ground of objection could be offered. The only object the measure had in view was the repeal of the special penal Acts to which clergymen of the Roman Catholic faith were liable, without in any wise rendering marriages celebrated by them more legal than they were at present. He had an anxious desire that a measure to enable Dissenters of all descriptions to be married within their own congregations should be introduced, and Parliament promising such a measure should have his cordial support. Laying aside all considerations of the propriety of such an enactment, on the ground of justice to the vast body of Dissenters, he assured their Lordships, it would be particularly agreeable to the general body of the clergy of the Established Church. The Protestant clergy felt it a most irksome and unpleasant duty to be obliged to perform the marriage ceremony for persons many of whom, in their opinion, were guilty of blaspheming that religion of which they were ministers, and he would take upon himself to assure the House they would willingly give up the fees they were in the habit of receiving to be exonerated from that which they considered a profanation of their Church.

The Duke of *Wellington* thought, that so far as the Bill repealed certain penal statutes in force against the Catholic clergy, it was a very desirable measure, but he was of opinion that this could not be safely passed unless accompanied with specific arrangements stating in what manner and under what circumstances marriages should henceforth be performed. He thought the details of the Bill should be so amended in Committee that it should do no more than simply remove the penalty of death as against the clergy, leaving the general question of the celebration of marriage for further consideration next Session, when there would be ample means to draw up a code of laws for its regulation.

The Earl of *Wicklow* did not think any reasonable objection could be offered to the principle of the Bill, which was, that the penal statutes against marriage performed by Catholic clergymen should be repealed which, in his opinion, was very desirable. His principal objection to the Bill was, that by repealing so many of the laws on the subject of marriage it would, unless an explicit code of regulations was drawn up, be impossible to know precisely in what state the general law on the subject was left. The Bill was also objectionable in not providing a prohibition against a clergyman marrying two Protestants. Where one of the parties was a Catholic and the other a Protestant he had no objection to their being married by a Catholic clergyman; but he confessed he saw no necessity for altering the existing law in cases where both parties were of the Protestant religion. Then, with respect to marriages celebrated by degraded clergymen, according to the present Bill they were to be considered perfectly good marriages, and the penalties against the party celebrating it were to be at an end. That part of the Bill he thought particularly objectionable, and should it go into Committee, which he hoped it would, he would use his best endeavours to have that, as well as others of its details, amended.

Amendment negatived; and Bill read a second time.

China Trade.] The Order of the Day for the Committee on the China Trade Bill having been read,

Lord *Auckland* stated the object of the Bill was to provide a sbstitute for the existing British Factory at Canton, by which the trade with China had hitherto, under the auspices of the East India-Company, been managed. It proposed, in the first place, the appointment of three superintendents, to reside at Canton, to whom the entire regulation of the Canton trade should be intrusted, with power to appoint such officers as they might require to assist them in the execution of their duty, and to grant such officers whatever amount of salary they might deem necessary. It was likewise provided, that his Majesty should be empowered by an Order in Council, to give to the superintendents so appointed entire power over the trade and commerce to be carried on by his subjects with any part of the Chinese dominions, and in furtherance and execution of such power to erect any number of Courts of Justice, and to frame such rules and regulations for its observance as they might deem requisite. The powers which the Bill proposed to intrust to the Crown were undoubtedly of a most extensive character, but they were not without precedent; and, taking into consideration all the circumstances of the case, he contended they were quite justifiable. The principal objection which he understood as likely to be urged to the Bill related to the mode in which it was proposed the establishment should be paid and supported. The plan which the Bill proposed was certainly not without precedent; but, although he would contend there was nothing in the manner of the clause which justified the objection expressed to it, to avoid all possible opposition he had come to the determination of preparing an amendment which he trusted would prove satisfactory. His proposition was, in lieu of the charges mentioned in the Bill as it stood, to levy an amount of duty not exceeding 1*l. ad valorem* duty on the amount of goods, whether imports or exports, and a charge not exceeding 5*s.* per ton on the amount of tonnage; by which means it was estimated a fund amply sufficient to defray the expense of the proposed establishment would be obtained. A further objection to the Bill related to the proposed establishment of resident superintendents at Canton, without the authority or concurrence of the Chinese government. In the first place he begged to remind the House that such an interference on the part of Great Britain towards a foreign state was not new; and in the second place, he was happy in being able to state that, from all the evidence which had been collected on the subject, there was every reason to expect the establishment of a well constituted authority to take the place of the Company's Factory in the regulation of the trade would be well received by the Hong merchants, and through their influence by the Chinese government. The noble Lord concluded by moving, that the House resolve itself into a Committee.

Viscount *Strathallan* objected to the exclusion of the East-India Company from a participation in the China trade, so useful to them for the purpose of remittance. Though he had no doubt of the friendly disposition of some of the noble Mandarins of China, yet he was confident that whilst the government there existed in its present shape, it would never suffer the establishment of Superintendents or consuls; and he thought the same object could be obtained by vesting additional powers in the supercargoes, and binding the owners of vessels to obey the regulations that might be framed, under certain penalties. He objected, moreover, to the great expense of these establishments. If, according to the Bill, one per cent was levied on exports and imports, the sum raised would amount to 80,000*l.* per annum. The Courts proposed to be established by the Bill were also very objectionable, and established a very dangerous precedent. Indeed, the whole Bill was one of a Theoretic nature, and he feared that soon we should have little or no tea at all. The East-India Company had tea for two years' consumption in hand, therefore for two or three years the evil would not be felt; but after that time, he thought the revenue would suffer a serious defalcation.

Lord *Ellenborough* said, there was not a single detail, even as the Bill then stood, of which he could approve. In the first place, the Bill did a great deal more than give his Majesty a power to appoint three superintendents to reside entirely at Canton for the regulation of the trade, inasmuch as, although the noble Lord opposite had certainly abstained from so stating it, the words of the clause gave his Majesty power to appoint three or more superintendents, and further enabled him to place the superintendents so appointed either at Canton, where a British trade was already established, or elsewhere, where, as yet, no trade was established. The Bill then proceeded to give the Crown a power of allotting to the superintendents and to any officers they appointed any amount of salary they might choose to demand. Now, that he looked upon as a monstrous power, and one which Parliament should be very cautious how they intrusted. Much had been said of the vast degree of patronage heretofore possessed by the East-India Company in China; but he had no hesitation in saying the present Bill gave to the King's Government for the time being the power of creating quite as much if not more, of that power than the Company ever possessed. Then, with respect to the clause which provided for the expenses of the proposed establishment, he confessed that his objections had not been at all removed by the alteration proposed by the noble Lord. At the lowest calculation the annual amount of the duties proposed to be levied would be 87,500*l.*, all of which it was contemplated should be divided among the three or four persons who were to exercise the consular powers of Great Britain at Canton. Surely such a sum could not be necessary for that purpose. Why, it was within 13,000*l.* of the whole amount of the estimates for consular charges during the last year. If the system of defraying consular charges by fees was under any circumstances to be defended, it unquestionably was most inapplicable at the present moment to the trade with China. The charge of 1*l.* per cent *ad valorem* on goods, whether exported or imported, was fully equal to a charge of 2*l.* per cent on the imports; and when he assured their Lordships, that the proposal of the noble Lord would take off at least 20*l.* per cent on the possible profits of the persons engaged in trade, he thought he was fully justified in asserting that, in its present condition the China trade could not bear the additional pressure this Bill would impose. He objected to the establishment of a Court of Justice at Canton, as wholly inapplicable to the circumstances of the place where it was to be established. Let the British Legislature arm their Commissioners with what powers for the execution of justice they might, they would be wholly inoperative in a foreign land, even to compel witnesses to attend. The

Bill proposed, that the superintendents should not be permitted to traffic for either their own benefit or for the benefit of any other person. But he confessed he could not see how it would be possible to prevent them from doing so. He was unwilling to allude to a very painful and very disgusting case of recent occurrence, but that case proved how prone human nature was to disregard principles of honour, and even the approbation of friends, when personal aggrandizement came into question. With such a case before them, he asked, what security was there that the provision against trafficking by superintendents could be enforced? He objected also to the Bill that there was a want in it of any provision for bringing the sums to be levied on the commerce, as well as the application of them before Parliament. He had no objection to the Bill going into Committee, but he felt bound to assert it was a measure which never ought to have been sent up to that House from the House of Commons.

The Duke of *Wellington* said, that the attempt to establish Superintendents or Consuls in China would fail. The Company's Supercargoes were only permitted to reside there by a Treaty, and those only for about three or four months, and for the remainder of the year they were compelled to resort to Macao, in the Portuguese territory. There was, however, no treaty at all between China and this Government.

Lord *Auckland* said, it was unfair to assume that because Government was authorised to collect a duty not exceeding one per cent, that therefore they would go to the full extent unless it were required; but it was exceedingly desirable, when it was proposed to make a permanent establishment, that the means should not be too limited. The noble Baron was mistaken in the amount that would be raised, as some of the vessels would evade paying the duty by not entering the port of Canton. As to the Courts of Justice they would not be ordinarily resorted to, and the most effective power was that of refusing permission to vessels to unload until they had conformed to regulations. The establishment certainly was expensive, and the expense might after a few years be reduced; but, considering what a princely establishment was kept up by the Company, it would not be advisable to make too sudden a change. As to the Superintendents being permitted to act as agents, it would derogate from their authority in the eyes of the Chinese.

Their Lordships then went into Committee, and the Bill with its several amendments was agreed to.

House resumed.

HOUSE OF COMMONS,

Tuesday, August 20, 1833.

Minutes.] New Writ ordered. On the Motion of Mr. Charles Wood, for the County of Bute in the room of Mr. C. Stuart, who has accepted the Chiltern Hundreds.

Papers ordered. On the Motion of Mr. Fowell Buxton, Copies of the Answers of T. H. Baker Esq. to questions relative to Slavery in India put to him by the India Board.—On the Motion of Mr. M. Attwood, an Account of the Average Circulation of Branch Bank Notes, and Twenty-one Day Bills in 1832: also the Amount of Bank of England Notes in Circulation during the last year.—On the Motion of Mr. Spring Rice, Copies of Correspondence between the Treasury and the Board of Works respecting the National Gallery.—On the Motion of Sir Henry Willoughby, the Quantity of Wheat and other Corn Imported from the North American Colonies from 1813 to 1833.

Bills. Read a second time:—Turnpike Road Accounts; Infirmaries (Ireland).—Read a third time:—Forgery of Stamps; Metropolitan Police; Cholera Prevention; Buckingham Palace Furniture.

Petitions presented. By Mr. C. J. Tynte, from the Inhabitants of Pennselwold, for the Abolition of Tithes.—By Mr. F. Shaw, from certain Titheholders in the County of Carlow, to be included in the intended Relief to the Parochial Clergy.

Trial of Offences (Ireland).] Lord Althorp moved the Order of the Day for the further consideration of the Report on the Trial of Offences (Ireland) Bill.

The Order of the Day having been read,

Mr. *Littleton* moved, that the Amendments be read a second time.

Mr. *O'Reilly* had hoped, that Government would not impose on the people of Ireland such a harsh and arbitrary Bill, and he submitted whether it would not be more satisfactory to the country if the Jury Bill were first passed, in order that it might be seen whether all the objects proposed to be attained would not be affected by that Bill. He hoped Government would be induced to defer the present Bill; but if they would not consent to that, he should endeavour to convince the House, that the Bill was wholly unnecessary. If the object of the Jury Bill were to cause impartial justice to be administered to the people of Ireland, it was wholly unnecessary to bring forward this measure. The object of the present Bill was to give the power to the prosecutor, in all cases in which it was apprehended that impartial justice could not be obtained, to remove the trial to the neighbouring county, or to Dublin, upon application to the Judges. Now, if the Bill were to operate fairly, the same privilege ought to be extended to the prisoner. [The *Solicitor General*: So it is.] If that were so, he should show that the Bill was unnecessary. They had already seen the effects of partial legislation in Ireland. Now, a prisoner could not make an application to remove the trial until after the indictment was found, because otherwise he could not know whether he would be tried or not; and then, as the Assizes would be sitting, he would be hurried to his trial without having an opportunity to apply in the regular way for a removal of his trial: whereas the prosecutor could at all times be prepared to apply for a removal of the cause. Again, the Bill gave the prisoner no advantage that he did not previously possess, but a great advantage was given to the Crown prosecutor, who could, on the most trifling grounds, obtain a removal. No case had been made out to convince him that there was such a defect in the existing law as to justify the present measure. It might be said, that in some parts of the North of Ireland there was a reasonable suspicion that Juries had not done their duty; but that did not show, that the law was bad. This new measure would not restore the confidence of the people, or give greater security that justice would be more impartially administered, and therefore he should give it his decided opposition.

The *Solicitor General* said, he hoped that the Jury Bill, to which the hon. Member referred, and the present Bill would go hand in hand together; they were in perfect harmony, and he hoped they would pass—and pass for the benefit of Ireland. He had nothing nearer to his heart than that justice should be administered satisfactorily. The present Bill was perfectly in accordance with the spirit of the Constitution; and, far from being opposed to Trial by Jury, would support it, by giving impartial and satisfactory trials. By the common law of England, the Court of King's Bench possessed in this country almost all the powers which were given by this Bill; but the powers given by this Bill were more safe and more for the benefit of the accused than any given by the common law. The Court of King's Bench, upon being informed that a fair trial could not be had, might change the place of trial either for felony or misdemeanor, and upon the application of the prosecutor or of the prisoner. He knew an instance in which his right hon. friend near him (Mr. Littleton) prosecuted a person for a misdemeanor, in the county of Stafford, in which case he (the Solicitor General) was counsel; the defendant applied to the King's Bench to remove the trial to Gloucester, on the ground of his right hon. friend's extensive influence in Staffordshire; and it was tried in Gloucester, and the defendant was acquitted. He could also instance the case of the King v. Thomas, for murder, which, on application, was removed from Rochester to Maidstone. There was also the recent case of the King v. Hodson, which, at the defendant's request, was removed from a distant county to London. The Bill introduced no new or dangerous power. It took from the parties the difficulty of removing the trial to another county, which now existed, by enabling any two Judges to appoint a trial in a county wherein justice might be done, with the great advantage of obviating the necessity for that bargaining and huckstering which were now practised, before any application to the Court of King's Bench for removing a cause to a distant county could be carried into effect. And not only would there thus be a great saving of expense, but the case might be moved directly. There would be a difference in the operation of the law as contrasted with England; when, according to the strict letter of the law here, the venue could only be changed to the adjoining county. By this Bill, however, a case might be taken from one of the most remote counties, and tried in the county of Dublin. In Scotland, this course had already been adopted, as it was customary in that country to remove the venue from any county, however distant, to the High Court of Justiciary in Edinburgh, and no complaint of the system had been made. That great partiality in striking a Jury had been practised in Ireland no man could doubt, and it was one of the objects of the Bill, to avoid all possibility of partiality. Under these circumstances, he should give it his entire support, and declare his conviction in full that it accorded strictly with the spirit of the Constitution and the statutory law.

Mr. *O'Dwyer* should lament to see the Bill become a law, because he believed it to be unnecessary. He was sorry to see the same feeling continuing, which prompted the Coercion Bill. He objected to this measure upon principle, and from a conviction that it would have no good effect; but although he objected to it himself, he would not divide the House, as he thought it would be scarcely fair to do so after the feeling which the House had evinced at the first reading.

Mr. *Littleton* said, the hon. Gentleman entertained an erroneous opinion with respect to the feelings of the people of England towards those of Ireland, as evidenced by the Acts of that House. He was convinced, that if such scenes as had unfortunately disgraced and disturbed that unhappy country had taken place in any county or counties in England, the Legislature would not have been less prompt, nor the people less willing to have had such counties placed under coercive laws. And nothing, he was convinced, could be more necessary than a change in the system of empanelling Juries. The necessity for that change was proved from what was so well known on the subject as regarded striking for Juries, both in the South and the North of Ireland.

Lord *Althorp* could not see how any reasonable objection could be raised to the Bill, as it secured the Trial by Jury in a manner more secure than any Jury Act could be passed. It also secured that country against the repetition of those offences which have been so lately prevalent in Ireland. On that ground he supported the Bill, being perfectly sure there was nothing in it unconstitutional, and that it would be found most beneficial for Ireland.

Mr. *Lynch* could not agree with the noble Lord, that this was a beneficial law for Ireland. He saw the same spirit pervading it that suggested the coercive measure. If there was any necessity for the measure, it ought to have been carried long since. He should like to ask, whether there had been any defect in the administration of justice, either at the Spring or Summer Assizes in Ireland? In his opinion this was a violent alteration of the law, and would take away one of the greatest safe-guards—the Trial by Jury. There was no precedent for such a measure, except that which had occurred in 1772. He hoped, if the measure were passed, it would not be made universal, as he was of opinion it ought to be applied only to those counties that required it.

Mr. *Shaw* thought the Bill a most salutary measure, and he should therefore give it his support. He, however, agreed with the hon. and learned Member who spoke last, that it ought to have been brought forward at an earlier period of the Session.

Mr. O'Reilly moved, that the Amendments be read this day six months.

The House divided—Ayes 6; Noes 41:—Majority 35.

Amendments made by the Committee agreed to.

TITHES—STAY OF SUITS BILL.] Mr. *Blamire* rose, to propose the second reading of the Tithes (Stay of Suits) Bill. He wished that the hon. and learned Solicitor General had taken on himself the task of introducing this measure. He knew that it was a difficult and delicate thing to legislate on such a subject, and he hoped, that whatever defects of detail might be found in his Bill, the House would not on that account throw it out, but would join with him in the attempt to amend them. He was convinced, that the consequences of the evil for which this Bill was to provide a remedy would be most mischievous to the cause of religion, good order, and morality. The clergy said, they had been driven to this step by the Government themselves. He did not exactly understand that; but of this he was sure, that the proceedings which he now sought to stay would produce such an effect all over the country, as to indispose the people properly to receive a fair and equitable measure for a general tithe composition. It had been heretofore customary, when plaintiffs proceeded for the recovery of tithes, that a few cases were selected, the decision upon which was considered to be binding upon the whole; but it had unfortunately happened that, by the Act passed last year, commonly called Lord Tenterden's Act, no plaintiff could recover for tithes due, unless the proceedings were commenced, as against every individual party, within a certain period. In consequence of this Act, in Kendal, there had been 1,500 suits entered for tithes, and ten individuals were included in each suit; and in the county of Cumberland, as many as 150 persons were named in each suit. By this system an immense expense was entailed, and it was the bounden duty of the House to take some steps to check that expendi ture. He should propose by this Bill to stay all proceedings begun since the commencement of Lord Tenterden's Act to the end of next Session, and to provide that in all suits entered of ten persons each, only two should be considered as necessary parties, the others to be bound by the decision in that case. In the other cases, in the parishes of Cumberland, he should propose a similar rule to be applied. It would be a saving of expense to all parties. He proposed this, because, although he was aware that actions on policies of insurance were consolidated, he knew of no precedents of that sort with regard to actions for tithes. He again declared, that it was difficult to legislate on this subject at all, and that legislation of the nature he now proposed could only be justified, as in this case it was, by strong necessity.

The Bill read a second time.

On the question that it be committed,

Mr. *Lynch* was understood to say, that the object of the Bill, so far as it went to stop litigation, might seem to be good; but that its effect would be to deprive the parties concerned of all remedy whatever. An unjust clamour had been raised as to the number of suits instituted. The fact, that they were so numerous was not owing to the clergy, but to the provisions of the Bill of last year, which had rendered them absolutely necessary.

The *Solicitor General* said, that he had heard nothing of clamour raised against the clergy—he had heard of regret—he had expressed regret at these proceedings, and he did so again. As a friend to the Church, he deplored to hear that 1,500 suits had been instituted in one parish alone. If they were allowed to be proceeded with, the consequences would be most lamentable; tithes would become odious; payment of them might be suspended, and all hopes of a just composition would be at an end. He was firmly of opinion, that tithes were as much property as any other thing, and ought to be protected. The setting aside of a long-established modus was a calamity, for the land in such a parish had been bought and sold over and over again under it. The tithes, if impropriate, had also been bought and sold, and by setting aside a modus, the tithe-owner would get what he had not bought, and the land-owner would no longer have what he had honestly paid for.

Sir *Edward Knatchbull* earnestly wished, that some general measure should be speedily introduced to set the question of tithes at rest. As to this Bill, he regretted the hon. Member (Mr. Blamire) had not brought it forward much earlier, and that he had not sooner moved for the returns he had moved for last night respecting the number of suits commenced for the recovery of tithes. On the present occasion, the hon. and learned Gentleman opposite (the Solicitor General), as on some others as he thought, had gone a little further than, from his high station, he was justified in going. That hon. and learned Gentleman had said, that, in Kendal parish alone, no less than 1,500 actions had been commenced for the recovery of tithes, whereas it appeared there were but 150 actions, although against 1,500 persons. Certainly 150 actions were a great many; but, let it be recollected, that the clergy had no alternative than that of either bringing the actions, or abandoning their right to tithes. He was not prepared to say, that some Bill, similar to the present, was not called for; but he thought it would be much better that Ministers should take upon themselves the responsibility of bringing in some general measure to regulate the system of tithes, and that, in the meantime, all actions should be postponed, reserving to parties interested their present rights, until the subject was set at rest by Parliament. That would do more than anything else to quell the angry feelings which the bringing of so many actions had created.

The Bill to be committed.

JURIES (IRELAND) BILL.] Mr. Littleton moved the second reading of this Bill.

Mr. *Shaw* had no objection to the principle of assimilating the law of England and Ireland on this question, but he considered the mode of doing it as it was done by this Bill to be absurd.

The *Solicitor General* supported the Bill, the object of which was to oblige the Sheriff to Select Juries fairly and impartially.

Mr. Sergeant *Perrin* took the same view of the Bill. It would secure the selection of a better class of Jurors, and a more impartial mode of selection.

Mr. *O'Reilly* approved of the Bill generally, but he did not agree in that part which left the selection to irresponsible persons.

Mr. *Lynch* wished the assimilation had had taken place long ago, and regretted that it was not now carried to a greater extent.

Mr. *Cobbett* would not say anything on the Bill, as he knew nothing about it, but he hoped that, as it was intended that next Session the House should sit from ten o'clock in the morning to five o'clock in the afternoon, the public business would not be huddled up in this manner, so that Members could not find time to make themselves acquainted with it.

The Bill read a second time.

SALE OF BEER LICENCES.] On the Motion, that the Sale of Beer Licences Bill be read a second time,

Mr. *Warburton* said, the Bill was one which seriously affected the industrious classes of the community, and others whom hon. Members would have no opportunity of consulting upon a measure introduced at so late a period of the present Session. The Bill, it was true, came down from a Select Committee of the House, but the Report of that Committee strongly induced him to think that it was highly desirable to defer this Bill until the next Session of Parliament, for it was at complete variance in many points with the provisions contained in the Bill now under consideration, particularly as regarded the hours at which the beer-shops should be kept open, and other police regulations detailed in the report. The advanced period of the Session made it impossible that these points could be provided for in the Bill; and he was fully of opinion, that much benefit would accrue from deferring legislating on the subject until consideration could be fully given to all the alterations in the present law which the Select Committee had recommended. But he also objected to the Bill, because it would double the amount of duty, and in this way was nothing more than an indirect tax upon beer, for the produce of the increased license-duty to the revenue, he was told, would amount to 100,000*l.* per annum. He thought it was too much, when the Government, in communicating the details of the savings they had effected, should have taken credit for the reduction of the price of beer, and thus indirectly propose a new impost, as indisputably was the effect of this additional licence duty. He, however, waived all these topics, and was content to put his opposition on the ground that the Bill affected persons in an humble station of life, who could not be consulted at this late period of the Session on its provisions. Under all the circumstances he was distinctly of opinion, that acting upon the recommendation of the Select Committee, that the beer-shops should be put upon the same footing as to hours and police regulations, all of which it was at present impossible to carry into effect, the Bill ought to be deferred until the next Session; and he should therefore move, that the Bill be read a second time that day six months; and he did so without wishing to press the House to a division, but in the hope, that the noble Lord, the Chancellor of the Exchequer, would see the impracticability of pressing the Bill at present, and would consent to a postponement.

Mr. *Spring Rice* confessed he could not answer the complaint of the hon. member for Bridport, that the Bill had been introduced at so late a period of the present Session, but any delay that had occurred in bringing in the Bill was attributable to the indisposition of his noble friend, the Chancellor of the Exchequer, shortly after the Select Committee had made their Report. Admitting fully the late period at which the Bill was brought forward, he must observe, that the hon. member for Bridport had not dealt fairly with the provisions of this Bill, the objects of which were founded upon the opinion that it was better to fix a tax, even such as that which had been deprecated, than to leave the granting of licences to the loose *arbitrium* which prevailed at Quarter Sessions. The Bill had not been introduced on the ground or in consideration of any pecuniary result to the revenue, though he would admit, that this point could not be a matter of indifference. He also would admit, that, with respect to hours and police regulations, it was desirable that the beer-houses should be placed on the same footing as the public houses, and that a uniformity in this respect should be established. It was for the House to say what, even at this period of the Session, should be done with this Bill; but, whatever might be the fate of the measure, he was convinced, that if the Government had done nothing with the Report of the Select Committee when laid on the Table, they would have been open to obloquy; and if, again, the Government had consented to that which was recommended by many Magistrates for the regulation of the scale upon which houses should be licensed, the opposition to the measure would have been still stronger. As he had already said, whatever might be the fate of this Bill, he was unwilling that it should go forth without the explanation he had offered.

Mr. *Cobbett* said, that, looking to the impossibility of passing the Bill that Session, and looking to the fact, that the noble Lord brought it forward to show that he wished to do something for the good of the public, he should say but a very few words upon the subject. The Bill was one of very great importance, as it affected millions of men, and in a very sensible way, too, since it touched upon their comforts. If the right hon. Gentleman thought that the evidence of the Report alluded to attributed the great increase of crime to the beer-shops, the right hon. Gentleman had not read the Report with the attention he (Mr. Cobbett) had read it. The evidence of that Report—excepting the evidence of one or two of the clergy and of two hired overseers—did not attribute the increase of crime to the beer-shops. There was another thing in the Report that ought not to have been published—it was a scandalous libel, and which might be made more offensive, since it could be copied with little danger. He alluded to the shameful evidence of an exciseman, which was one of the grossest libels he ever saw upon paper. The parties were named in the libel—they were two men and two women. The latter were accused of adultery, and the former were said to be partners in the crime, and their characters painted in the very worst light. He was not surprised that the prying, envious, and disappointed exciseman of a village should have given such evidence; but he was greatly astonished that the Committee should have allowed such evidence to be printed. In his opposition to the Bill he was completely disinterested. It would not affect him—it would lay no tax upon him; indeed the noble Lord could not tax him in the way of drink, unless he chose to lay a tax on cows' udders. He hoped that he should hear no more of the Bill for the present Session.

Mr. *Fysche Palmer* said, that the opinions unfavourable to the present Beer Bill were not confined to the clergy alone. There were Gentlemen whom he had known for the last thirty or forty years who attributed to that Bill the increase of the crimes of sheep-stealing, poaching, and other offences. They said, that those crimes were not so frequent before the existing Beer Bill had passed into a law. If the hon. member for Oldham would look into the evidence of the Report of the Committee, he would find the names of the gentlemen he alluded to. That the present Bill made people drink somewhat more was not astonishing. By the Bill good beer was made more general; and when it was good, it did not give persons the stomach ache; and adding to that its being sold at a low price, it was not surprising, that a little more intoxication took place. However, he saw no further evils in the Bill, and he thought that a great deal that was said against its bad effects arose out of an angry feeling on the part of his fellow Magistrates. Beer-sellers could get licences without applying to the Magistrates—they could obtain them from the Excise—so that they were not so subservient to the Magistrates, and passed them without condescending to take off their hats to them. This feeling of independence and lack of courtesy was the cause of angry feelings on the part of his brother Magistrates; and he believed that the beer-shops were allowed by the Magistrates to run riot and become mischievous, in order that there might be an excuse for putting them down. If the measure before them were allowed to pass, nine-tenths of the beer-shops would be put down, because it would be impossible for them to get the six sureties required, in order to have a licence. If the six sureties were taken from all England, it would be possible to get them, but two were to be of the parish in which the beer-shop was to be opened; and he would be prepared to show in Committee, if the Bill should reach that stage, that it would be impossible to get those two sureties. The influence of any neighbouring Gentleman or nobleman would prevent it. He thought, that if the noble Lord let matters stand as they did until next year, that the small country beer-shops, which were the chief causes of crime, would die off. He should, therefore, though reluctantly, vote against the second reading of the Bill.

Mr. *Tower* supported the Bill, in common with the Grand Jurors of the county with which he was connected, he conceived the effects of the existing law to be most pernicious, and he was satisfied that on sound principles of Legislation the present Bill could not be objected to, inasmuch as it would work injustice upon no individual.

Mr. *Ewart* concurred with the hon. member for Bridport, that so important a Bill as that under consideration should not be pressed forward at the present advanced stage of the Session.

Colonel *Williams* supported the Bill, and expressed a hope that the Government would persevere in pressing it forward during the present Session, as it would have the effect of putting down nine-tenths of the beer shops now in existence under the present law—"a consummation," in his judgment, "most devoutly to be wished." He, however, thought the Bill would not be complete without the addition he purposed proposing in the Committee, to prevent the consumption of beer upon the premises.

Lord *George Bentinck* said, that the Report of the Poor-law Commissioners, which attributed the riots and outrages of the year 1830 to the beer-shops, was alone sufficient to call for some legislative interference with regard to their regulation. He trusted the noble Lord (the Chancellor of the Exchequer) would not abandon the present Bill.

Lord *Hotham* bore testimony to the liberal spirit which had been manifested by the Select Committee on whose Report the Bill had been introduced, and contended, that even the evidence of the three clergymen of the Church of England referred to by the hon. member for Oldham was sufficient to justify some change in the law. If the measure was persevered in, he should give it his support, though he thought it would have been more desirable that it should have been submitted to a fuller House than was at present collected.

Lord *Althorp* said, that since the passing of the Act respecting beer-shops he had not, owing to his occupation with official business, had an opportunity of acquiring practical information on the subject. He must say, however, that according to all the information which had reached him, it was plain that however the statements might be highly coloured or exaggerated in some instances, there could be no doubt that universally, in all parts of the country, the increase that had taken place in crime had been attributed to the beer-shops. Under such circumstances, the question was, whether the present system of beer-shops did not require some alteration and regulation. During the last two Sessions, though great complaints had been made with regard to the effects of the Beer Bill, he (Lord Althorp) had opposed the making any alteration in it, conceiving that it was due to it, as an experimental measure, to wait and see whether the evils which were attributed to the operation of it might not ultimately disappear. But, now that they had had the benefit of experience on the subject, and that it was found that those evils, instead of diminishing, had greatly increased, it appeared to him, that Parliament was bound to provide a remedy by adopting some measure for the better regulation of those beer-shops. He greatly regretted, that, in consequence of the late period at which the Committee that had been appointed on this subject had made their Report, the present measure of Government had been brought forward at such an advanced period of the Session, that it would be extremely difficult, if not impossible, should it be opposed, to carry it through in the present Session. He was anxious to state the grounds on which he thought that the principle of this measure should be now affirmed by the House. The Committee took a very correct view as to the remedy for the evil which now existed, when they proposed that the station in society of the persons to whom licenses for keeping those beer-shops were granted should be raised somewhat above its present level, but the manner in which they recommended the House to arrive at that desirable end appeared to him to be by no means a practicable one. They recommended that the amount of the rate should be made the test for granting or refusing a licence. Now, it was evident, that the same amount of rate in a country district might be much higher in proportion than a similar amount in a town district, and it was also well known, that in different parts of the country, the rates were extremely different. The mode recommended by the Committee, if adopted, would allow the Magistrates in different parts of the country to fix the rates, and the consequence would be, that, in a great number of districts, the option of licensing those houses would be left altogether in the hands of the Magistrates. He did think that the power of licensing those beer-shops was much too large, too extensive, and too important a one to be committed to the hands of the Magistrates. It was upon that principle that the late Government had introduced the Beer Bill, which he then advocated as a measure for opening the trade in beer. In the Committee which sat upon that Bill, he had endeavoured to persuade the members of it to recommend to the House some measure for regulating the power of licensing; but on finding, when the Bill came back to the House, that the Government had made up their minds that no such power of regulation should be adopted, as he wished well to the measure, he thought it better not to oppose it, or to throw any impediments in the way of its passing. The great difficulty was, to provide a good mode of regulation, that would insure the comparative respectability of the persons keeping those shops, while it would not interfere with the freedom of the trade. The test, then, that this measure proposed was, that the persons applying for licence to open those shops should give security to pay any penalties that might be imposed on them. It was conceived, that that was not a hard condition to impose upon them. With a view to raise the station of such persons, the present Bill proposed that a high amount of licence duty should be demanded from them. That might not be perhaps so advisable a mode for accomplishing that object as taking the amount of rate paid by them, but, for the reasons he had already stated, it would be absolutely impossible to fix its amount. He was persuaded that, in a great many districts, the raising the amount of the licence duty would be attended with the best effects. He was anxious to see the principle of this Bill at all events affirmed by the House on the present occasion, by its assenting to the second reading of it. He should speak hypocritically if, supposing that there was any opposition to be offered to the measure, he should say, that there was any possibility of passing it this Session. All he desired was, that the House would affirm the principle of the Bill now, in order that when regulations with regard to beer-shops should be proposed next Session, this decision of the House might be appealed to in support of them. It would be the imperative duty of Parliament to legislate on the subject next Session, and, by affirming the principle of this Bill now, the House would only decide that some alteration in the law was absolutely necessary. It was on these grounds and for these reasons that he wished the House to agree to the second reading of the Bill.

Mr. *Lloyd* would recommend the postponement of the measure until next Session, there were so many objectionable provisions in it. Without wishing at all to disparage those Magistrates who had given evidence before the Committee, he could not avoid saying that their evidence exhibited a singular character of one-sidedness, and of jumping to conclusions by no means warranted by the premises. Poaching they said had increased — rick-burning had increased—crime, in short, of all kinds had increased, and the whole was attributable to the establishment of beer-shops! On cross examination, indeed, those witnesses acknowledged that wages had been lowered, and that pauperism had increased, and that the poor rates had increased. So here was ample cause to account for the increase of crime without applying to the *post hoc, ergo propter hoc*, principle to the beer-shops for an explanation of the phenomenon. The truth was, that the witnesses, with an absurdity which they did not seem to perceive, charged all the increase of crime to the reduction that had taken place in the price of beer. Now, with regard to the alleged increase of crime, he could state that, in the county of Chester, crime had materially diminished, as was evidenced by the Assizes during the last year. He believed that the same fact had been made apparent at most of the Assizes throughout the country. Of this, at all events, he was sure—that taking into account the increase that had taken place in the population of the country, taking into account the increase of pauperism, and of general distress, there had been, comparatively speaking, a decrease in the amount of crime throughout the country. But to attribute any increase of crime that might be alleged to have taken place to beer-shops, and beer-shops alone, was, to say the least of it, a most fallacious assumption.

Bill read a second time; to be committed that day month.

ROYAL MARRIAGE ACT.] Colonel *Williams*, in rising to move for leave to bring in a Bill to repeal the Act of 12th George 3rd, cap. 11, called an Act for the better regulating the future marriages of the Royal Family, said, that his object was, to procure the repeal of an Act from which, as experience had proved, no good, but much mischief, had followed. He had intended to introduce to the House the opinions of many persons, both in that and the other House of Parliament, expressed at the time of passing this Bill, with regard to the propriety of such a measure. Many potent reasons were then advanced against it, and he must say, that the balance of wisdom was to be found in opposition to it. The Bill had been originally introduced, not as a national, but as a court measure, and it had been proportionably hurried through Parliament, for, though introduced into the House late in February, it was passed on the 3rd of March. The Bill provided that no member of the royal family should marry without giving notice to the King in council twelve months before, and that such marriage should be only valid if Parliament in the meanwhile should express no disapproval of it. He thought that such restrictions upon the exercise of their choice in the selection of their partners for life by the members of the royal family were exceedingly mischievous. It placed the male members of it especially in a situation different from the rest of the world, and in a situation that by no means conduced to the morality of the country. This Bill had been passed because two royal Dukes had married Englishwomen. The Act, in restricting the choice of the members of the royal family, had done an immensity of mischief. He would just mention one or two instances in proof of the assertion. The Duke of York never saw his wife until he was married to her, and the consequence was, that they were soon separated. His affections had been won by another woman, perhaps an unworthy object. That House shortly afterwards rang with discussions about Mrs. Clarke, to the no great promotion of morality or the edification of the country. The late King, too, married a foreign princess whom he had never seen, and the results, the disgraceful results, were too well known to the country. He would call the attention of the House also to the pernicious and tyrannical effect of such a measure upon the female members of the royal family, who were thereby prevented from marrying the objects of their choice, and were necessarily debarred, in many instances, from gratifying their inclinations. The effect of the measure had been to make our princes send to Germany for wives, instead of selecting them amongst their English countrywomen. When George 3rd came to the Throne he was made to boast that he was the first English King of his race. It was true that he was an Englishman by nativity, but he was not so by principle. His German mother infused into him principles that had subsequently caused the greatest evils to the country. She it was who taught him that he should be a king—that was to say, in other words, a German despot; and the war with America, and the war with France, were entirely owing to the impressions he had derived from his German mother. In his opinion this evil ought to be remedied. He believed it was a maxim of the Constitution that foreigners should not be allowed to exercise any office of power or trust in this country, and, in accordance with that principle, he would say, that no foreign influence should be allowed to have authority in this kingdom. The hon. Gentleman concluded by moving for leave to bring in a Bill.

Lord *Althorp* observed, that the hon. Gentleman had brought forward this Motion at an extraordinary late period of the Session, and with more business before the House than it could well dispose of.

Colonel *Williams* said, that he had no intention to press the Motion, if the noble Lord would allow the Bill to be introduced, and read a first time.

Lord *Althorp* said, that this was a subject of the greatest possible importance, and that he should be wanting in his duty if he allowed even the first reading of such a Bill without the subject undergoing the fullest and most complete discussion, which it would be impossible to obtain for it at this period of the Session, and in the present state of the House. He was well aware, that there were grave authorities who had disapproved of this measure; but there were also high opinions in favour of it, and a measure of such importance was not to be touched upon light consideration. He would not now go into the details of the question, for he hoped that the hon. Member would not persist in his Motion.

Colonel *Williams* said, that the only argument he had ever heard against allowing the members of the royal family to marry English wives was, that their doing so might give a preponderance to particular families in the country. In the present state of the country and of that House, he did not look upon such an argument as of any importance.

The *Solicitor General* was anxious not to permit the idea to go abroad, that the Act in question prevented the marriage of members of the royal family with English women. That was a vulgar, but a gross mistake, with regard to it. The Act provided that no descendant of George 2nd should marry any subject without the consent of the reigning Sovereign, but if the consent were given, the marriage would be valid. The hon. Member should be aware that, by the common law of England, independently of the Marriage Act, the reigning Sovereign had always the right to control the marriages of his children and heirs, and of the heir presumptive to the Throne. The Royal Marriage Act only provided that no descendant of George 2nd should have a right to marry without that consent.

The law of England in that respect appeared to him to be just and salutary.

Colonel Williams withdrew his Motion.

HOUSE OF LORDS,

Wednesday, August 21, 1833.

MINUTES.] Bills. Read a second time:—Dower; Cholera Prevention.—Read a third time:—Spirits, Wine, and Beer Licences; Land Revenue (Scotland); Inclosure; Awards; Titles.

HOUSE OF COMMONS,

Wednesday, August 21, 1833.

MINUTES.] Papers ordered. On the Motion of Mr. W. ROCHE, the Quantities of Malt made in Scotland and in Ireland.

Bills. Read a second time:—Consolidated Fund.—Read a third time:—Bank Notes Composition.

TRIAL OF OFFENCES (IRELAND).] Mr. Littleton moved the third reading of the Trial of Offences (Ireland) Bill.

Mr. *O'Connell* was exceedingly sorry that the Government should have determined upon ending the Session as they had begun it, by offering insult to Ireland, and heaping injury upon her. If, at the commencement of the present Session, the shadow of a case had been made out for the necessity of such a Bill as the one before the House, it was utterly out of the power of any individual in existence who had the least regard to truth, to allege, that such necessity existed at present. Not a particle of ground existed for such an offence against every law and every right, as was offered to Ireland by the present measure. Since the days of Cromwell, who had depopulated the land for the purpose, that country had never been so quiet as it was now. It was not to be denied, that much agitation and irritation existed there some time back; but these were attributable to two causes—first and principal was the collection of tithes. During the last year and a-half the utmost violence had been resorted to by the clergy and the lay impropriators, in the collection of arrears of tithes. Not only had the clerical statutes been put in requisition, but the law of the last Session had been had recourse to for the purpose. From one end to the other, Ireland had been covered with military, police, infantry, and even artillery. The like had never been seen before in any civilized country. 60,000*l.* had been advanced by the country, and 60,000*l.* more had been expended in all sorts of cruelties, to levy 12,000*l.*, for that was all which was obtained. These were the causes of the disquiet which pervaded the country in the early part of the present Session, and very natural causes they were; and, under those circumstances, the House had carried the Coercion Bill by acclamation. But now that these causes of disquiet were in some degree removed by recent measures of the Government—now that even, on the fairest hope of relief, peace had returned to Ireland—would any man have the hardihood to stand up and say, in the teeth of all the evidence of the two past Assizes—that such a Bill as that now before the House was in the slightest degree needed? Why, therefore, should that House give the power of changing the venue to any Attorney General? Why remove the trials of those accused, to Courts in which the people could have no confidence? Was there an instance at the present—aye, even at the worst times, of any want of jurors, or any fear on their part to convict? Even in Kilkenny was there not a striking instance of the contrary? Was there not, on the Carrickshaugh trials, a degree of alacrity to convict which called for the interference of Government? The persons convicted on that trial were convicted on the uncorroborated evidence of an informer—aye, on the uncorroborated evidence of an approver. This wretch swore, that he had taken an oath to wade knee-deep in human blood if necessary—that he would do so without reluctance—and that no obligation was binding on him, except, forsooth, the oath he had taken to tell the whole truth, and nothing but the truth, to the Jury. And yet, on this wretch's testimony, unsupported by any other, the Jury found the prisoners guilty. If that was not alacrity he did not know what was. If that was fear, or evidence of intimidation, on their part, then things had considerably changed their names since he had learned the English language. The Government, however, as he had said, was obliged to interfere, and the convicted prisoners were respited. It was, therefore, idle to talk of intimidation of Jurors. Never was there any want of alacrity on their part to convict, when any agrarian disturbances were the question to be tried. He had heard, that the Solicitor General had said the Court of King's Bench had the power of changing the venue to whatever county it chose. He was quite sure the Solicitor General was too good a lawyer to state, as had been published in the newspapers—that the Bill was no infringement of the law, and was conferring no additional powers on the Crown, but simply affirming a law which had been long in existence, and which had been daily practised.

The *Solicitor General* said, that he had heard Judges themselves lay it down as the law; he knew of his own knowledge, that it was practised every term by them; and he fully concurred in opinion with them as to its legality.

Mr. *O'Connell:* Then the law is bad. But even if it were good, that very circumstance made against the present Bill. It proved it perfectly unnecessary. But the opinion of the Judges of the Court of King's Bench was not law. He had carefully read over the statutes on the subject since the question was first mooted; and he would pledge his professional reputation, that it was not law. But it was only of a piece with the conduct of the Government to Ireland, all through their administration. They had began the Session with coercion, and with coercion they meant, he perceived, to end it. But it might be said, that such a Bill as the present was wanted for the North of Ireland, and that some late circumstances had proved its necessity. He would meet that objection. On a recent occasion, he admitted that disturbance had taken place there. But who caused it? The Government had passed a Bill last Session prohibiting processions—was it enforced in the North of Ireland—the only place to which it could at all apply? Why, the Orangemen only laughed at it. They continued their processions as before, and would continue them so long as the Magistrates countenanced them, and set the law and the Ministry both at defiance. In fact, legislating for that part of the kingdom was worse than useless, until there was a complete purgation of the Magistracy and all Orange partizans were put out of the commission. The consequence of the continuance of the present Magistracy in power was, that on the 12th of July there was an Orange procession in Belfast, another at Antrim, and others elsewhere; at all of which these functionaries, if not assistants, were participants, inasmuch as they were present, and countenancing the infraction of the law by not attempting to enforce its observance. Another circumstance connected with the North of Ireland was worthy of the utmost attention, as well from its curiousness as from the fatal consequences it had led to. At Coote-hill there had been an affray between the Catholics and the Orangemen; lives had been lost—every one knew that. How? Why, it had been proved, on an investigation which took place subsequently to the occurrence of the outrage, that arms had been supplied to the Orange party by the police. Several witnesses swore to one policeman, in particular—but his companions swore to an *alibi*. He was acquitted; but it was not denied, that arms had been supplied by the police to the Orangemen, the individuality of those charged with supplying them only was denied. Now, if justice were equally administered, not a man among those policemen who admitted the supply of arms to the Orangemen should be retained. Yet they were all retained. Had he not, therefore, reason to say, that whilst such an executive power as the Magistracy and Police alluded to in these cases was permitted by the Government, the enactment of laws for a country so cursed was useless. There was another cause why the enactment of any law, such as that contemplated in the Bill before the House was unnecessary—namely, the present constitution of Juries in Ireland. The Government had no power to regulate the formation of Juries; it all lay in the hands of the ascendancy party, who had the nomination of Sheriffs. These functionaries had the selection of the Jury panel; and, chosen as they themselves were for their adherence and devotion to a certain set of opinions—Conservative opinions—he did not wish to say anything harsher of them—it was not to be expected, in the nature of things, that they would select as persons, especially for the trial of political offences, a panel which was adverse to these opinions. They had the power of naming the Jury panel—they also had an additional power which High Sheriffs in England had not—that of renewing the panel at pleasure. In England the panel returned by the Sheriff was signed; in Ireland it was not. Thus it was nonsense to say, that the prisoner or even the Crown had the challenge of a limited number of Jurors; for, when one panel was exhausted, the Sheriff could produce another, and another, and another, until every freeholder in the county, however extensive that county might be, had been called. Therefore, the power of the Conservative or Orange party was, through the Sheriff's agency, superior to that of the Crown itself. This state of things, however, could not longer continue. Indeed, it required only the disapprobation of the Government, and its attention to the instances he had pointed out, to put an end to it. The Orange party was only an exotic in Ireland, and the power of the

Crown would irremediably wither it. He did, therefore, protest against the present Bill. Could not the Government postpone it to the next Session? What was the immediate necessity for it? There would be no Assize in Ireland before the next Session was considerably advanced; therefore there would be no opportunity of proving its efficacy—no need of it, in fact. There would be an opportunity for a change in the whole of the present Jury system, which he believed must take place. He would, therefore, if they did not accede to his request, protest against the Bill, on the grounds—first, that there was no general necessity for it; secondly, that it was useless. He had thought, after all the evils which had been inflicted on Ireland, that the Government intended at least to treat her people with some degree of impartiality; he did not expect the same favour to be shown to Ireland as to England and to Scotland. He need not say, that this Bill put a crowning to his deep and bitter disappointment. He should, therefore, move, in justice to his country, that the Bill be read again that day three months.

Mr. *Littleton* said, that the hon. and learned Gentleman, and those who generally acted with him, were in the habit of designating, as the people of Ireland, that portion of them only who had rendered themselves obnoxious to the Statute-law of the land. Now, he (Mr. Littleton) could not agree in the propriety of that designation. On the contrary, he deemed it quite misplaced; and, for his own part, he could only apply the term "people of Ireland" to all the well-disposed and peaceable inhabitants of that country. It was said by the hon. and learned Gentleman, that the present Bill was not required by the circumstances of the country. Before he proceeded to answer that assertion, he should state to the House, that it had been drawn up while his right hon. friend, the Secretary for the Colonies, filled the office which he (Mr. Littleton) had then the honour to hold; but that it had his most cordial concurrence in all its parts, not only as applicable to the state of Ireland at that period, but also as applicable to it at the present. What was the nature of the evidence on which it was founded? Why, it was, that not only jurors, but prosecutors and witnesses, were so intimidated, that they did not dare to discharge their duty. In fact, that formed the preamble of the Bill. Who would venture to deny, that they had been so deterred? The conduct of several of the Juries, in different parts of Ireland, was such, that it was the duty of the Crown to apply for powers to change the venue. As to the conduct of the policeman at Cootehill, if the man could be fixed upon, he should be given up to punishment. But it would be unjust to dismiss the whole party on the supposition that they could point out the guilty individual. The object of the Bill was to free the administration of justice from the charge of partiality which, at present, could be brought against it. He believed, that the effect of some of the provisions of the Bill would be, to secure impartiality, and to raise the moral and intellectual character of the people, by showing them that the Government placed the utmost confidence in them, and thought them worthy of exercising the highest functions.

Mr. *O'Reilly* would have no objection to the Bill as a temporary measure. But it would be impossible to effect the equal administration of justice by the mere change of venue. The same Orange authority which packed a Jury in the north, would do the same thing in the county of Dublin. The power of the Crown to set Juries aside, gave it, in practice, the power of nomination.

Mr. *Sinclair*, in reply to the observations of the hon. and learned member for Dublin respecting the unfitness of Orangemen to be impartial Jurors, took upon himself to say, that amongst the Orangemen of Ireland there were many of the most respectable gentlemen in the country, who were compelled to form that association, to counteract the machinations of the Popish clergy. It was very improper to term those gentlemen "exotics" in Ireland.

The House divided on the Amendment: Ayes 15; Noes 61—Majority 46.

Bill read a third time and passed.

TITHE ARREARS (IRELAND) BILL.] Mr. Littleton moved the Order of the Day for the Third Reading of this Bill.

Mr. *Hume* wished to ask a question of the right hon. Secretary, which would determine the course he should take on this occasion. He wished to know whether, if payment was not made from the sources provided in this Bill, there would be any objection to render Church property liable?

Mr. *Littleton* said, he should most undoubtedly object to a clause with such a provision.

Mr. *Hume* must, then, move, as an Amendment, that the Bill be read a third time that day six months. Notwithstanding all that had been said by the noble Lord, and those who supported him, he (Mr. Hume) could not see the least probability of the money being repaid to the British treasury. He could not get a single Member from Ireland to say, that there was the slightest prospect of it. He asked, then, whether it was not a fraud to pass a Bill avowedly holding out security for repayment, when there was, in fact, none. This Bill was objectionable on many grounds; but he would oppose it on the ground, that it would support that establishment which had hitherto been the cause in Ireland of almost all the evil and discontent that had prevailed. The acts of the right hon. Gentleman opposite, with respect to tithes, had failed, and he hoped the present, and all other unconstitutional acts, would fail. He would recommend the Government to accept the offer made by the hon. and learned member for Dublin, and, reducing the Church Establishment in Ireland to the absolute spiritual wants of Protestant inhabitants, to levy the necessary amount then required upon the landed proprietors. As an honest man he did not think the property in tithes should be lost, but, he thought, the measure before the House only calculated to perpetuate the evils of the system. The hon. Member concluded by making his Motion.

Mr. Sinclair seconded the Amendment.

Mr. *O'Connell* begged leave to offer his most hearty thanks to the Ministry for the Bill; he hailed it as the commencement of pacification for Ireland. The hon. member for Middlesex had not correctly quoted what he (Mr. O'Connell) had said on the subject of levying tithes on the landlord. What he had said was, that he divided the amount of tithes into three portions, as regarded their operation on the payers—namely, the landlord, as owner of the land, the tenant's capital, and the tenant's labour; and what he wished was, that neither the capital nor the labour should be called upon to contribute, but what was absolutely necessary to be paid should be paid by the landowner. Was it fair, he would ask the House, that the Catholic people of Ireland should pay for the support of a Protestant Church?—keep up an establishment foreign to their feelings, and opposed to the principles of their religious belief? The present Bill would have the effect of relieving the people of Ireland. Indeed, it had already done so. In his own parish—he would take the thing by parishes—a parish which had 15,000 Catholic inhabitants—there was one Protestant clergyman, with a curate, to whom he allowed the sum of 64*l.* 9*s.* 4*d.* present currency, and there were there six Catholic clergymen—the people had been relieved of Church-rate to the amount of 2,500*l.* Since the passing of the Coercion Bill he (Mr. O'Connell) had changed his opinion of the Protestant clergymen, for their conduct had been lately most vexatious and tyrannical. Instead of suing by one process, they had sued, in many instances, upon three or four, to recover a few shillings due at one year, or at one period, and other small sums due at other periods—and, by suing sometimes in different ways against the same person, the costs were frequently swelled to 20*l.* Those who had taken such vexatious courses ought not to receive any compensation until they had repaid to the poor peasantry the costs to which they had been put. He denied, that the resident landlords deserved the charges which had been, again and again, brought against them in that House, and as frequently received with cheers. There were some whose conduct was most oppressive and tyrannical; but that was not the general rule, for the general rule was the other way. He hoped an inquiry would be made into the population of the country, that the number of Protestants would be ascertained, and that the Church Establishment would be reduced to agree with the amount of that population. If this were done, there would be ample funds to repay every shilling of the million to be advanced by this Bill. If it were not repaid, he could only say, that if the people of England found any amusement in continuing a Church Establishment in Ireland—if, as Franklin had said, they would have their whistle, they should pay for it. Were the people of Ireland, in 1834, to become cheerful in the payment of tithes, when they had so long objected to them? Certainly not. The Government, however, had done exceedingly well in bringing forward this measure. They had secured tranquillity for a year and a-half—they had put an end to disturbances for that period; the moment it was discovered that the police and the army were not to be occupied in enforcing tithes, that moment tranquillity took place in Ireland. Under the circumstances in which they stood at present, he was decidedly in favour of the Bill, as it would give both Houses time to consider the subject before the next Session, and it would give to the people of Ireland time to look into the measure; it would give to the Government an opportunity of considering whether it would keep up a Protestant Church at the expense of a Catholic people. The people of Scotland were not satisfied with their Church Establishment until it became identified with the people, and, until that was the case, they fought for it with their broad swords in their hands. On the same principle that the people of England and Scotland had obtained their Church, ought not the Irish to have a Church of their own? There was no Protestant in the House who would, with more vehemence than himself, object to the Roman Catholic religion being the religion of the State, he was too sincere a Roman Catholic for this; but if he were disposed to deprive religion of its expansive power—he would ally it to the State—he would make its clergy rich — he would make them familiar with the Castle of Dublin, and would estrange them from their flocks—

> For Satan, now grown wiser than before,
> Tempts man by making rich, not making poor.

He could assure the House, that no sincere Catholics wished their religion to be the religion of the State.

Sir *Robert Inglis* said, the hon. and learned member for Dublin had taken his metaphors from every subject—from grave to gay—from lively to severe—from the whistle to the broad-sword—and in a very indiscriminate manner. In reference to one point, the hon. and learned Member had said, that his own parish had been relieved to the extent of 2,500*l.*; that was one of the things of which he (Sir Robert Inglis) had all along complained, for it was relieving one class of persons at the expense of another. Would the hon. and learned Member say, that his house was not worth so much the more in proportion to that relief, and that the measure of relief was not a mere matter of bargain and sale?

Mr. *O'Connell* begged to say, that, when he went into the parish, seventeen years ago, the Church-rates were but 400*l.* a-year, and now they were 2,500*l.*

Sir *Robert Inglis* said, that whatever had been gained by the hon. and learned Gentleman had not, perhaps, been lost by the Church; but it was lost by other parties. With regard to the present Bill, he concurred in the views which had been originally developed by the right hon. Secretary for Ireland, as, he believed, they were calculated to do good to that country; but he feared, that the Bill in form and substance was calculated to do more harm than good, as it would put to hazard all the pecuniary interests of the clergy. The noble Lord opposite (Lord Althorp), by his untoward declaration in respect to tithes, had effectually prevented the collection of tithes in Ireland, and all the letters which he had received upon the subject convinced him that that assertion was founded in fact. He thought, that some consideration should be given with regard to the arrears of tithes before 1831, and that the clergy should not be compelled to sacrifice their claims. Under the whole he came to the determination, and he did so with reluctance, to concur with the Amendment of the hon. member for Middlesex.

Mr. *Warburton* begged to request, that the hon. member for Middlesex would not press his Amendment upon the third reading of the Bill, but that he would take the sense of the House upon the introduction of his clause to secure the repayment of the money by the Church property, in failure of payment by the parties to whom it was advanced.

Mr. *Shaw* would not be provoked by the attack of the hon. and learned Member (Mr. O'Connell) on the Church and clergy of Ireland, to go into a general defence of the conduct, as he had so frequently had to do before throughout the Session. When the hon. and learned Gentleman, however, accused the Irish clergy of vexatious and tyrannical conduct, he most emphatically denied it—and he could not help thinking, that the hon. Member, and those who acted with him, would not have shown equal forbearance and moderation under similar circumstances — he might, indeed, refer to a recent instance, and comparing the necessities of the clergy with the mere vanity of the hon. member (Mr. O'Connell), ask whether, when the public Press did not supply all that the hon. and learned Member's appetite craved, he evinced the same temper, good taste, and good conduct that had characterized the Irish clergy throughout the course of their unprecedented privations? He agreed, however, in the reasoning of the hon. and learned Gentleman (Mr. O'Connell), and of the hon. member for Bridport (Mr. Warburton), that the present Bill was intended, by the advance of a million of money, to buy off the future payment of the Irish clergy, and the maintenance of the established religion in Ireland; therefore, their inducement to support the Bill was the same which led him to enter his most earnest protest against it. It was difficult to speak of the present measure with coolness or temper—it would be ludicrous if the cruel and intense sufferings of those whose interests it trifled with did not forbid merriment—it was, at all events, monstrous to think that this was the Bill held over the friends of the Church throughout the last Session, as the inducement to permitting all others that injuriously affected the Church to pass, lest this should be withheld. It was quoted by a noble Duke elsewhere as a reason for not exercising a free judgment on the Church Reform Bill—that, perhaps, then, this boon, which had been partly promised by the resolution of this House, might be withdrawn; and then when it came, the supporters of the Church repudiated it on its own merits, and disdainfully rejected it as incompatible with the present character of the clergy, the welfare of the Church, or the peace and good order of society in Ireland. Of all the unjust, injurious, and bad measures that were proposed this Session, he believed it to be the worst; there was no bad principle in legislation that it did not contain, and no good one that it did not violate—it was fraudulent, as professing to borrow what it never could repay—it was a premium on outrage—an invitation to resistance of all legal rights, while, in the very same proportion, it must operate as a discount on forbearance, and a discouragement to those who had honestly and justly obeyed the law. The noble Lord (Lord Althorp) said, the Bill was not a fraud, because the money would be repaid. He differed from the reasoning of the noble Lord, but it was equally easy to refute him on his own ground. The noble Lord could never extricate himself from this dilemma, that either the parties to repay the money were materially altered, as the noble Lord said, or they were not, as he (Mr. Shaw) maintained; if they were, then the noble Lord's reason, that the Government failed before, does not sustain his position that they should not make the attempt again; and if they were not materially altered, the noble Lord could never get himself out of the manifest conclusion, that if the Government and the clergy could not recover the arrears in conjunction, the clergy could not do so alone. What, then, became of the security for repayment? One or other, the Government or the clergy, must be the power to recover the arrears; and whether that power succeeded or failed, it ought to be the Government. If they succeeded, they recovered a just debt—vindicated the law, and afforded some security to the clergy for their future incomes. Supposing they failed, the Government would be accountable, and not the unfortunate and destitute clergy, who were to be mocked with the cruel insult and injury, added to their loss of property, that they were all to be crown debtors for sums one farthing of which they might not receive from the real debtor. He trusted the clergy would never submit to the terms of being delivered over from the date when the first instalment was payable, bound hand and foot, to the mercy of a tyranny which might be exercised by the hands, at which they had already received the most flagrant injustice. The Government first induced them to stay proceedings, and to desist from prosecuting their just and legal rights, upon an express undertaking that it would provide for the tithes that were due to them, and when the time of reckoning came, the Government offered them little more than half their due, and that half upon terms which they could not accept without a dereliction of their highest duty, by undertaking what they knew they could not perform—by selling their birthright, as it were, for a mess of pottage—involving the future rights of themselves and their successors with the arrears now due—making themselves crown debtors, so that in one hour a wicked or a timid Minister might incarcerate them all; besides being parties to the high premium on resistance to the laws. The noble Lord (Lord Althorp) said the *25l.* per cent. deduction and the remission of the arrears due prior to 1831, were to cover the cost of collection of bad debts; but he forgot that the clergy were still to be liable to both, and that deduction was to go in the first instance as an absolute bonus into the pocket of the defaulting tithe-payer—the honest one who had paid not being re-imbursed one shilling. He (Mr. Shaw) could tell the true reason of this great deduction; it depended upon the simple rule that a half (or little more) was less than the whole; and the noble Lord, therefore, thought he could have a better chance of persuading the House to grant him the reduced sum, in order that he might appear technically and colourably to redeem his pledge to the clergy, while he (Mr. Shaw) contended, that the noble Lord was virtually and really violating it. The noble Lord and the Government had on this, as well as on other occasions, treated the clergy in a manner they could not have ventured to act towards the members of a Political Union, or even to the very persons who were unlawfully combined against the just rights of the clergy. It was by their fears alone the present Government, were to be controlled, and they had ungenerously taken advantage of the fact that the clergy were too high-minded to complain in the same tone of menace and clamour that their opponents would have adopted, and too high-principled unjustly to retaliate, although they had been unjustly oppressed. He desired not to speak under the influence of warmth or excitement, but his calm and deliberate opinion was, that it was the design of the present Ministry to subvert the Established Church in Ireland—aye! and he would go further and say, that he believed they contemplated the establishment of the Roman Catholic religion in its stead—but of this they might be assured, that they never could accomplish that object, without producing a dismemberment of the empire, and the irreparable injury, if not the entire ruin, of both countries. He might be wrong, but he expressed the honest conviction of his mind. He meant nothing personal to any member of the Cabinet—but as an independent Member of that House he had a right to judge and speak of public men according to their public measures—from that source alone, and especially from the present Bill, he drew his inference as regarded the Cabinet generally. He only attributed to the Cabinet as a body an intention which many Members of that House openly avowed and boasted of. He certainly would not vote for the Bill, but he did not mean to vote against it, and he would tell the House why. He wished to leave the entire responsibility of the measure upon the Government: it must be harmless, however, in its nature unless the clergy became parties to it, and the passing of the Bill would serve to show the Government in its true colours; while, by contrast, he trusted it would reflect double honour on the clergy. They had been spoliated, if not by the Government, at least under their permission and countenance, of their property, and their children of their future prospects. But he knew little of the clergy of Ireland if they would surrender into the hands of that same Government what still remained to them—their reputation and their independence. Having strongly protested against the Bill, he would leave it in the hands of the Government. He certainly should wish, when the Speaker was putting the question on the title of the Bill, that the present specious title was laid aside, and the truer and more appropriate title substituted, of "an Act to destroy the Established Church, and to encourage rebellion in Ireland."

Mr. Hume withdrew his Amendment.

The Bill read a third time.

Mr. *Hume* moved a Clause, to the following effect:—"Provided always, and be it enacted, that if the sum to be granted and advanced under the provisions of this Act shall not be paid from the sources provided and within the time specified in this Act, any balance then remaining due to the public shall become chargeable on the funds of the temporalities of the Church of Ireland, and shall be placed at the disposal of the commissioners under the Temporalities (Ireland) Bill, to be annually paid to the public until the principal and interest have been satisfied."

The clause was read a first time.

On the Motion that it be read a second time,

Lord *Althorp* rose and said, as he conceived such a clause, instead of securing the payment of the advance, would secure its non-payment, by the parties to whom the money was to be granted, he could not agree to it. It would be a more straight forward course at once to charge the advance of money on the funds which would fall into the hands of the Commissioners.

The House divided on the Clause—Ayes 27; Noes 47: Majority 20.

List of the AYES.

ENGLAND.
Aglionby, H. A.
Bewes, T.
Blamire, W.
Briscoe, J. I.
Dykes, F. L. B.
Evans, Colonel
Ewart, W.
Hall, W.
Hawes, B.
Hughes, H.
Hutt, W.
Lloyd, J. H.
Potter, R.
Torrens, Colonel
Tynte, C. J. K.
Young, G.

SCOTLAND.
Hallyburton, Hon. D.
Murray, J. A.
Sinclair, G.

IRELAND.
Blake, M.
Browne, D.
Mullins, F. W.
O'Connell, D.
O'Dwyer, A. C.
O'Ferrall, M.
Vigors, N. A.
Wallace, T.

TELLERS.
Hume, J.
Warburton, H.

List of the OES.

ENGLAND.

Althorp, Viscount
Baring, F. T.
Barnard, E. G.
Bentinck, Lord G.
Bernal, R.
Byng, Sir J.
Campbell, Sir J.
Chichester, J. P. B.
Childers, J. W.
Clive, E. B.
Crawford, W.
Grosvenor, Lord R.
Gordon, R.
Graham, Rt. hon. Sir J.
Grey, Sir G.
Grey, Colonel
Inglis, Sir R.
Lamont, N.
Langston, J. H.
Littleton, Rt. Hon. E.
Maberly, Colonel
Macaulay, T. B.
Morpeth, Viscount
Palmer, C. F.
Parker, J.
Pelham, Hon. C. A.
Peter, W.
Pryme, G.
Skipwith, Sir G.
Smith, V.
Spankie, Sergeant
Stanley, Rt. Hon. E. G.
Todd, R.
Tower, C. T.
Tracy, C. H.
Ward, S. G. H.
Willoughby, Sir H.

SCOTLAND.

Jeffrey, Right Hon. F.
Kennedy, T. F.
Macleod, R.
Steuart, R

IRELAND.

Jephson, C. D. O.
Jones, Captain
O'Reilly, W.
Perrin, Sergeant
Sullivan, R.
Walker, C. A.

TELLERS.

Rice, Hon. T. S.
Wood, C.

The Bill passed.

* * *

HOUSE OF LORDS,

Thursday, August 22, 1833.

MINUTES.] Papers ordered. By the Bishop of LONDON, the Number of Bills filed in the Courts of Chancery and Exchequer, respectively, for the Recovery of Tithes from the 1st of January last to the 2nd of August.

Bills. Read a second time:—Bank Charter; Metropolitan Police; Buckingham Palace; Bank Notes; Stamp Duties; Stamp Forgeries.—Read a third time:—Lighting and Watching; Royal Burghs (Scotland); China Trade Assizes' Removal.

Petitions presented. By Lord WYNFORD, from St. Martin's-in-the-Fields, against the Parish Vestries Act Amendment.—By the Bishop of LONDON, from Bolton-le-Moor, and from Manchester, against the Factories' Regulation Bill.—By the Earl of RIPON, from Lincoln, against the Scotch and Irish Vagrants Bill.—By Viscount STRANGFORD, from the Law Stationers of London, against the Stamp Forgeries Bill.

MUNICIPAL CORPORATIONS.] The *Lord Chancellor* rose to state shortly to the House the outline of a Bill which he proposed to bring in for the better government of certain boroughs when incorporated, and the first reading of which he intended to move this day. The Bill was intended to regulate the municipal affairs of those boroughs, thirty in number, which, under the provisions of the Reform Bill, had received the privilege of sending Members to Parliament, but which had not as yet proper municipal constitutions. There could be no doubt of the importance of the subject, or of the necessity for a system of regulation for the boroughs in question; and he was sure, that it would have their Lordships' full and deliberate attention and consideration. The whole population of the boroughs which this Bill was to regulate, amounted to upwards of 1,200,000, and the number of persons qualified under the late Reform Act to vote for the election of members of Parliament was between 58,000 and 60,000. The boroughs themselves were for the most part situated in parts of the country where some branches of trade were carried on; such were Birmingham, Wolverhampton, Stoke-upon-Trent, Halifax, and Wakefield; but there were others, such as Cheltenham, Brighthelmstone, Chelmsford, Frome, Stroud, of less importance, and not connected with any particular interests. The general principle which prevailed in the Bill was, that the qualification which, under the provisions of the Reform Bill, gave to an elector the right of voting in the election for the Representative to Parliament, should, under the provisions of the present Bill, confer upon him a right to vote in the election of municipal Magistrates: and the boundaries under that Act would regulate the franchise under this Bill. Thus those who possessed the right of voting for Members of Parliament would vote in the election of Magistrates in these corporations, and the boundaries would be the same as those called the parliamentary boundaries. To the voters under those provisions, would be given the right of electing the Common-Council in each town; and for facilitating that object, each town would be divided into wards, on the same principle as regulated such division in the Scotch burghs, under the provisions of the Bill which he had had the honour of submitting to their Lordships a short time since. The next provision of the Bill which he thought it necessary to mention to the House was, that it was proposed, that the Common Councilmen, when elected in the manner he had stated, should choose from their own body the Board of Aldermen: and on this point he must observe, that the practice would be different from that which obtained in the election of Magistrates for the city of London, where the Aldermen were elected by the votes of the constituency, in the same way as the Common Council, instead of being chosen by the latter, as was proposed by this Bill. Differently from that mode, that the Common Council would now be first chosen by the electors, and they would then proceed to choose the

Board of Aldermen. In addition to this, he should observe, that the Common Council were to be chosen for three years, while the Aldermen would, on being elected, hold their offices for life, except in cases where specified disqualifications should occur. The Common Council would also choose the Mayor, to hold his office for one year. There was one most important officer still remaining, the mode of appointing whom would differ from that pursued in nominating the others: this officer (the Recorder) would be nominated by the Crown; and there were many reasons, which need not be detailed, which had influenced him in providing for the appointment of that officer in this manner. The body of Magistrates chosen under the above provisions would be the municipal authorities of the town, and they would have two branches of duty to perform—the one would be the administration of justice, and the other the regulation of the police. With respect to the first of these duties, several regulations would be established by the Bill, some of which he would refer to. The Quarter Sessions would be holden in the same mode and at the same times as at present, and the magisterial body would consist of the officers above referred to, with the addition of the county Magistrates, who he (the Lord Chancellor) considered ought to have a concurrent jurisdiction with the town authorities. The Recorder would preside at these sessions, and would, of course, afford the advantage of the learning and ability which would be the necessary qualifications for his office; and that officer would, of course, not practise in his profession, either at the Sessions or the Assizes. The Sessions, instead of being confined to being holden once a-quarter, might, by the authority of his Majesty, be holden oftener, according to his pleasure, as to time; and the object of this enactment would be to do away with an inconvenience which now existed in the awarding of punishment to offenders tried at the Quarter Sessions. By the present practice, in consequence of the long interval between the several holdings of the Quarter Sessions, the length of time during which a prisoner was confined previously to trial, was subsequently deducted from the full amount of punishment awarded to him upon his trial. The results proceeding from this course were, that it frequently appeared to the public (not aware of the above-mentioned deductions) that crimes of a comparatively serious nature were followed by too trifling a punishment, inasmuch as the proposition inflicted after the deduction of the previous confinement was all which to their eyes was awarded: while, on the other hand, from the same length of interval, it unfortunately happened, that a prisoner, who might afterwards turn out to be innocent was visited with the punishment of imprisonment until the next sitting of the Sessions. To obviate the evils arising from this practice, the Bill authorized the renewal at the pleasure of his Majesty of these Sessions in the manner he had stated. It had originally been intended that the Recorders before-mentioned should sit as Judges in the Local Courts, according to the provisions of the Bill which he had the honour of submitting to their Lordships' considera tion, but which they had rejected. He still hoped, that their Lordships would be prevailed upon hereafter to adopt the arguments in favour of the Bill, and that the event would be, that the provision as to the Recorders sitting as Judges would be ultimately adopted, by which means the two Bills would in that respect be fitted together, as had at first been intended. He next came to the other branch to which he had already alluded—he meant as to the police matters of the boroughs. It was proposed that an Alderman should sit in rotation, and that, at certain periods in every week, the Recorder should be present, so that any case might be adjourned from the Magistrate to the Recorder without inconvenience. Of these thirty boroughs, there were some which possessed Local Acts; now these Acts were numerous, but they had been most carefully examined, and the result was, that the measure itself had been framed in a manner which should meet the provisions of all these Local Acts. He purposely abstained from going more at large into the details of the Bill on the present occasion; what he had stated was a general outline of it, and he now moved, "that it be read a first time." He had already said, that he did not intend to press it another stage during this Session. He was quite persuaded, whether the measure was considered in relation to matters of police or the administration of justice, it would be admitted that a more important measure had seldom been introduced into Parliament than the present.

In answer to a question from Lord Wynford,

The *Lord Chancellor* observed, that the Bill had two schedules, A and B; very different, however, from their namesakes in the Reform Bill—for the latter were instruments of abolition, while those in the proposed measure were instruments of enfranchisement. Schedule A contained a list of the thirty boroughs to which the Bill applied; without reference to the consideration of whether they had, or had not, Local Police Acts. Schedule B contained a list of those boroughs, twenty-seven in number, which had Local Police Acts. None of the thirty boroughs, however, had any local body of Magistracy at all.

Lord *Wynford* doubted whether the Crown could not do all that it was proposed to do, without the intervention of Parliament. If the intervention of Parliament were unnecessary, was it not weakening the prerogative of the Crown to apply to it? As to the appointment of the Recorder, the Crown ought not to proceed in it without the consent of the borough; for the Recorder was the counsel of the Corporation, and might be its counsel against the Crown. His noble and learned friend talked of the Recorder as assisting in the superintendence of the police. But it must be remembered that Recorders were generally men eminent in their profession, who could not be expected to live constantly in the boroughs in question.

The *Lord Chancellor* replied, that care would be taken in the Bill not to interfere with the Prerogative of the Crown respecting Charters. All that it was proposed to enact was, that as soon as the Crown had granted a Charter to a borough, the provisions of the Bill should attach to it. There were the levying of rates, and other matters, for which parliamentary enactment was necessary. As to the nomination of the Recorder, he should have no strong objection to allow the Corporations to have a *veto* in the case. All that was desirable was, that a fit and proper person should be appointed. What his noble and learned friend had said of existing Recorders was perfectly true; but it was exceedingly desirable, that means should be taken in the proposed cases to secure the residence of the Recorder, so that the Corporation might have the benefit of his assistance, both in their judicial and their police duty.

The Bill read a first time.

HOUSE OF COMMONS,

Thursday, August 22, 1833.

MINUTES.] Papers ordered. On the Motion of Mr. COBBETT, the Number of Persons Imprisoned under the 57th George 3rd, cap. 3rd, &c.

Bills. Read a third time:—Edinburgh Community of Estates; Land Tax Commissioners Names; Chancery Officers Regulation.

CONSOLIDATED FUND — APPROPRIATION CLAUSE.] The House, on the Motion of Mr. Spring Rice, resolved itself into a Committee on the Consolidated Fund Bill.

Sir *James Graham* rose to move an Amendment to the Act relative to the naval service. By the terms of the Appropriation Act, as it at present stood, all services performed within the year should be paid within that period. Now, it often happened, that sailors who were on a foreign station could not be paid within the year. He should move an Amendment, the object of which was to make the practice and the words of the Act conform to each other. The navy estimates were divided in eighteen votes. Eleven of them could be applied exactly as directed by the Act, but the seven others, including seamen's wages, the cost of victuals, and the freight of convict ships, could not be paid at the moment the quarter became due, for there was often no person to receive the sums due at that moment. He moved an Amendment with a view to meet that difficulty.

The House resumed; Bill reported.

TEA DUTIES.] Mr. Spring Rice moved the third reading of the Tea Duties' Bill.

Mr. *Ewart* wished to know whether any arrangement had been made with respect to the sales of tea on hand; and also whether any arrangement had been made with respect to the time ships would be allowed to sail from this country to Canton?

Mr. *Spring Rice* said, that it was essential that the stock of tea on hand should be such as would promote not only the interest of the private trader, but the consumer also; and so far from considering that there was any conflicting or opposite interests between the consumer, the Government, and the East-India Company, all their interests were bound together. What was desirable was, to reduce the present stock of tea in such a manner as to give free scope to the private trader; but, in his opinion, it would not be desirable to reduce it actually to zero. It was not for the interest of the East-India Company that there should be an accumulation of tea left in their possession, as that would have the effect of distressing the private trader, and exposing him to a competition he did not calculate upon. With respect to the quarterly sales, it was not intended that any deviation should take place from the usual course during the next three of them, but that they should be left to the discretion of the Company. After these three sales had taken place, the quantity to be sold would have to be determined by the Board of Control, which would so govern them that a gradual increase would take place in the quantity, whilst the parties interested would be made acquainted with the maximum amount; so that the state of the market would be always fairly known.

Mr. *Crawford* said, he would not have ventured to have addressed the House at so early a period, if he had not been applied to by the traders resident in the City of London, who were deeply interested in the tea trade. The application made to him was by a highly respectable Committee of Traders, who complained that they had not received any communication of the intended details until after they had been printed and publicly promulgated by his Majesty's Ministers. These gentlemen, and the trade generally, objected to the classification adopted by the Government, as being opposed to the interest of the importers and the consumers. He thought, that his Majesty's Ministers should afford an opportunity for an early reconsideration of the subject, and give time for such communications with the trade as would enable a better classification to be made. The Gentlemen who had applied to him had informed him, that there were eight descriptions of tea, which would come properly under the second class, and be charged at a duty of 2*s.* 2*d.*; but which, as they were not now enumerated in that class, would have to pay a duty of 3*s.* per pound. Besides this, the East-India Company was already exempt from the payment of auction duty, for their teas were disposed of by public sale, and it would be only just that the other importers of tea should be placed upon the same footing. He wished to ask the right hon. Gentleman, whether, supposing the present Bill to be passed, there would be any objection to an early reconsideration of the subject in the next Session, that the anomalies complained of might be then amended?

Mr. *Spring Rice* said, that the House would be aware that the tea trade, in some respects, differed from every other; and that as the Government was, as it were, in actual contact with the parties interested, twenty-four hours need not have elapsed, after the Resolutions were promulgated, before the trade might have communicated with the Government thereon. But from the passing of the Resolutions, which took place some time ago, up to that moment, no communication had been made on the subject, excepting that of the hon. Gentleman. He would put it to that hon. Member, whether it would not be pregnant with inconvenience to give any pledge of such a nature as that he had asked? Such a declaration would naturally paralyze the trade, and produce the most serious inconvenience to all parties. It would be open to the hon. Member, or to any other Member of the House, to bring the subject again before Parliament in the next Session; but no pledge could be consistently asked or given, that a Bill to be passed in the month of August should be reconsidered in the February following. The House should remember, that in all the alterations of duty made, reductions had taken place. In the first class it had been reduced from ninety-six per cent to eighty-one; in the second class, from one-hundred to ninety-four and a-half; and in the third class, from one-hundred to eighty-one. And these classes had been determined after communication with several brokers, not one of whom had differed in opinion from the others. If the hon. Gentleman thought an *ad valorem* duty preferable, he must say, that such a mode of acertaining the duty could not have been practised at the out-ports, where auction sales would not be held under the same security as in the port of London; and giving an *ad valorem* for a rated duty, which should be alike on all descriptions of tea, would only have tended to increase the price of those inferior teas which were consumed chiefly by the lower orders. The best inquiries which could be made had agreed so well with the experiment made at the Board of Control, as to leave no doubt of the certainty of collecting the duty under the classification made.

The Bill read a third time and passed.

CHANCERY OFFICE BILL.] The *Solicitor General*, in moving the third reading of the Chancery Office Bill, said, he would shortly state the effects to be produced by the measures now in progress for Reforming the Court of Chancery. Thirteen offices which had long existed, and which were nearly sinecures, were abolished or regulated. The old system upon which these offices were conducted was this—there was the chief sinecurist who did nothing; he appointed a deputy, who was allowed a larger salary than what ought to have been allowed to the office altogether. The following was a table of the offices and salaries abolished and reduced:—

	Present Income of Principal.	Ditto of Deputy, and Expences.	Future Income.	Saving.
Clerk of Hanaper ..	£2,800	£550	£200	£3,150
Clerk of Crown	1,100	1,000	800	1,300
Clerk of Patents ..	810	395	400	805
Registrar of Affidavits	1,800	1,000	1,000	1,800
Clerk of Custodies ..	1,347	375	200	1,522
Clerk of Presentations	43	100	50	93
Clerk of Dispensations	316	..	50	266
Patentee of Spa ..	352	682	..	1,034
Chan. Wax..	1,300	400	50	1,650
Sealer	800	200	50	950
Prothonotary	100	abolished	..	100
Patentee in Bankruptcy	7,500	1,500	..	9,000
	18,268	6,202	2,800	21,670

The saving thus effected was to be disposed of in the following manner:—9,000*l.* to the Suitors, who were to be relieved from fees to that amount; 2,834*l.* were to be paid to the Suitors' Fund, and he congratulated the Chancellor of the Exchequer upon the fact, that 9,736*l.* would be paid to the account of the Consolidated Fund. Now, it was to be remembered, that all these offices were in the gift of the Chancellor, and former Chancellors had given them to their relatives. They had even been made the subject of marriage settlements. Two of the offices (the Clerk of the Patents and the Registrar of Affidavits) were held by the brother of the Lord Chancellor, which were to be abolished instantly. The others were to be abolished as they fell in.

The next branch of the Reform applied to the Masters, who upon an average received 3,900*l.* a-year from fees, &c.; they were now to be paid a fixed sum of 2,500*l.* a-year each; and as there were ten of them, the saving would be 14,000*l.* per annum. The following were the reductions in the Masters' office:—

	Present Income.	Future Salaries.	Saving to Public.
Masters' averaging 3,900*l.* a-year each	£39,000	£25,000	£14,000
Their Chief Clerks averaging 1,300*l.* a-year each	13,000	10,000	3,000
The Master of Report Office	4,300	1,000	3,300
The Registrars and their Clerks..	27,800	14,050	13,750
The Two Examiners	2,400	1,400	1,000
	£86,500	£51,450	£35,050

It was proposed in future to pay the Masters from the Suitors' Dead Fund, so that the actual saving in all future suits would be the total of the Masters' present income.	39,000
Savings by their Chief Clerks	3,000
Savings by Registrars and Clerks	13,750
There would thus be a gross saving to suitors in two Offices alone, of per annum	£55,750

The chief clerks in the Masters' office now receive 1,300*l.* a-year in gratuities—those gratuities were charged in the bill of costs, and the bill was taxed by the Clerk himself; a plan open to very great abuse. The Masters' salaries were to be paid from the Suitors' Fund. The great complaint hitherto had been of the delay in the Masters' Office; and the great object in view was to make the Masters efficient officers of the Court. The present Masters were most respectable, honourable, and learned men; but former Lord Chancellors, considering their appointments as personal, had appointed to those high and important judicial situations persons whom they dared not have recommended had the appointment been in the King. It was now, therefore, proposed to vest those appointments in the King; and they would henceforward be made by his Majesty, on the responsibility of the King's Government. No doubt the King might act on the recommendation of the Lord Chancellor for the time being; but that officer, with all the Cabinet, would be held responsible for every appointment. By this Bill there were to be particular returns made by the Masters in Chancery to the Lord Chancellor, of the number of hours they have attended their offices, and the general state of causes and other matters in the office, from time to time, so that there would be ample opportunity of ascertaining whether those holding such important judicial situations had properly discharged their official functions. But there were still further improvements in contemplation. When the Bill had been first introduced in the other House of Parliament, it was much more efficient; but there were some parts of the Bill which the noble author of it had been obliged to drop. He (the Solicitor General) hoped, that next Session the public would yet have the benefit of them. Much had been effected by the present Lord Chancellor; and no doubt the public would appreciate the noble and learned Lord's conduct in this matter—for he had met with many difficulties—and award him his due meed of approbation.

Mr. *Lynch* congratulated the House on the great and important improvements which had been effected; but he looked upon them only as an instalment of what was due, for much yet remained to be done. He thought it would be a great deal better that the masters and clerks should be paid partly by graduated fees, and partly by salary, as they made their reports and signed their certificates. He intended to propose two Amendments; one to the effect that the Lords of the Treasury, to whom the matter was to be referred, to consider what compensation should be given to those whose offices were to be abolished, should make their report within six calendar months after the passing of the Act; and the other, that the Commissioners, in their investigations, should have the power to determine whether, from the nature of certain offices, or the mode of accession thereto, any conditions could properly be imposed as to non-compensation. It was well known, that there were certain offices, such, for instance, as those in the Report Office, which were filled in gradation by the clerk, who paid on entry 1,000*l.*; and, from time immemorial, as higher offices fell vacant, the clerks had risen, till they became masters in that office.

Mr. *Harvey* could not, on the present occasion, withhold the expression of his sincere though humble thanks, for the alterations which had been made by this Bill in the Chancery offices. He congratulated the House the more on the great and substantial improvements which had been effected, inasmuch as it was impossible for them to conceive the great difficulties with which those who had done so much had been surrounded. Although he highly appreciated the measure in a financial point of view, he trusted that it was only subordinate to great improvements that were still to take place, and was to be looked upon only as an earnest on the part of that distinguished individual who held the highest office in the law of his substantial, sincere, and honest desire to make this Court one which he proved in reality, and not in name, a Court of Equity.

The Bill read a third time—Clauses added and Bill passed.

TITHES—STAY OF SUITS.] On the Motion of Mr. Blamire, the House went into Committee on this Bill.

Mr. *Blamire* moved a clause to be substituted for that which now stood as the first clause in the Bill. The object of the Amendment was to introduce some words that were better calculated to effect the object of the Bill than those which now formed the clause.

Mr. *Aglionby* gave his support to the object of the Bill; but, at the same time, he thought that actions to which there was no valid defence should not be stayed till next year. He, therefore, proposed to insert a clause, the object of which was, that no action, the subject of this Bill, should be stayed, except upon an application to the Court in which it was pending, founded upon an affidavit, declaring that the defence was *bonâ fide.* In confirmation of the statements made as to the effect of these actions upon the parishioners, of the clergy bringing them, he took that opportunity to state, that he knew an instance in which a great many actions for tithes had been brought in one parish, and the consequence was, that the parish Church had been almost deserted. On one occasion there was but one person present besides the Minister and his clerk.

Mr. *Harvey* thought, that this was one of the most injudicious Bills that had ever been submitted to Parliament, for it was a direct interference with the rights of private property. Every person who fancied that he had a clain for tithes should have the opportunity of instituting proceedings in a Court of Law to recover it. It was to be regretted that so many claims had been brought forward at once; but that arose from necessity, and not one of these claims but was based upon the law. It would be impossible for any plaintiff, whether he proceeded in a Court of Law or in a Court of Equity, to establish a title to tithes which for years had been dormant, to succeed when it became an issue before a Jury. The weight of prejudice he would have to contend with would be such as to make it necessary for him to show not merely the legality, but the righteousness of the demand, before he could proceed. If they were to legislate upon it, why not legislate in the most efficient manner? Why not at once suspend all the proceedings that had taken place within a given period to the next Session of Parliament? He took it for granted the present Bill was the herald of good things to come, and that it was intended these evils should be put a stop to by some wholesome legislation, which would at once extinguish all the causes. If that were so, why not at once suspend all proceedings under writs which had been issued, he would say within the last two months? He really thought the present measure, when it came to be reflected upon, was fraught with danger and difficulty. In his opinion, tithes were a species of property which certainly did not belong to the landlord. If they did not belong to the Church, they did not belong to the landlord; but they were a property; and he was extremely sorry to see landholders endeavouring to excite feelings which must fritter away the value of tithes, that they might have their land tithe free. He did not think this Bill necessary; for all those who knew what the business of the Courts was, must know, that it was quite impossible that any of those suits could be determined before the great measure had been adopted that was to regulate tithes for the future. If, however, the Bill was to be agreed to, he thought, that all tithe suits instituted within two months should be tied up till after the beginning of the ensuing Session of Parliament.

The *Solicitor General* congratulated the Church and the clergy on their new defender, and hoped, that the recently formed friendship of the hon. members for Oxford University, and Colchester, in defence of the Church, might prove lasting. He agreed, that tithes were a property, but then they were to be dealt with as other property. Now land could not be recovered after twenty years' quiet possession, and it was only proposed that a custom of paying tithes in a particular manner should not be disturbed after it had existed for sixty years. That was the object of Lord Tenterden's Act; but the clause which had given rise to those actions was one that, in fact, defeated the whole object of that Act. Under that clause, the law being the same as before that Act passed, and by the law, though a modus might be shown to have existed for hundreds of years, if it could not be proved to have had its origin before the time of legal memory, it was bad. Within the last two years, a modus of that sort had been set aside. He did not call that justice, but gross injustice.

Mr. *Cobbett* said, he had a precedent for the Bill, and one, too, to which the clergy were parties. In 1796, or 1797, upwards of 1,000 actions were commenced in the King's Bench against clergymen for penalties for non-residence; and what did the clergy do? Come forward and pay the penalties, and so stop the suit? No, they came before the then Parliament, and got the actions stayed for a year. Next year the same, and the next year again. Then, in 1802, Parliament did what he hoped that House would do next Session—quash the actions entirely; and as it then relieved the clergy from the penalties, would now relieve the people from the payment of tithes. It was idle to talk of its being an invasion of the principles of law, for the case was one of strong necessity.

Mr. *William Brougham* agreed with hon. Members, that the Bill was an infraction of the law; but was it not also a case of the strongest necessity? The number of actions had been multiplied so enormously, that great injustice must be the consequence if the Bill were not passed. He was informed that, in the Exchequer alone, there had been upwards of 4,000 writs issued within the last two years, making, with those in other Courts, 8,000 in all—if ever there was a case of stern necessity that was it. He would ask, what right the Rector of Kendal had to 10,000*l*. a-year of tithes? He must be beat in nine out of every ten of the actions. It was clear, that they had only been commenced in order to save the right which otherwise Lord Tenterden's Act would have taken away. He should be sorry to interfere between justice and those who would have brought their actions, if Lord Tenterden's Act had never passed, but as the suits in question had been instituted, as he believed, merely for the purpose of defeating the operation of that Act, the easiest, fairest, and most convenient method of proceeding would be, to suspend them till next Session, or some more distant period.

Clause agreed to. The rest of the clauses were agreed to. The House resumed.

THE POLICE—POPAY.] Mr. *Cobbett*, in rising to bring forward his Motion relative to the Report of the Committee on Dean's Petition against Popay, the spy, said, it was not his intention to say anything that might irritate or annoy his Majesty's Ministers. The people ought to be, and he believed were, satisfied with the conduct of his Majesty's Ministers, as far as related to the inquiry upon that petition, at least, as far as the matter had already gone. But it ought not to stop at the point of inquiry—the Ministers were expected to do something more. Every allegation in the petition had been proved to the satisfaction of the Committee, and, as the members of that Committee would declare, the witnesses in support of the petition had behaved in the most correct and proper manner. It must be in the recollection of the House, that Sir Charles Worsley had been imprisoned and fined for using words much less seditious than those used by Popay, and certainly with no such base and despicable intention; and yet this Popay—this criminal—was walking about the streets, apparently without the slightest fear of punishment. The people would naturally ask whether this were proper or just; and if this man ought not to be prosecuted for sedition? If he were not, justice would not be done, and the Solicitor-General would not do his duty. If he were not prosecuted, the people would say that the Government was anxious to screen these wretches, or was afraid to proceed against them, lest they should reveal something which might affect the Government. The crime could be proved—the witnesses were ready—and why not have the criminal brought before the Jury? Before the Committee he had made such a shuffling defence, that every member was convinced of his guilt. If, then, this man should escape, what would be the opinion of the people? This was all he should say on that subject; but leave his Majesty's Ministers to do what, after such statements, they might think was right. But Popay was not the only man who should be punished. The superintendent, Mr. M'Lean, had been guilty of the greatest prevarication before the Committee. At first he denied having paid the spy any money, but was afterwards obliged to confess that he had paid him money. His evidence was a shuffle from beginning to end. This was the superintendent who dismissed a cowkeeper very cavalierly, when the latter complained, that a police serjeant had feloniously stolen his milk. A pretty sample this was, of what might be expected from these worthies forming a rural police. Why, they might as well send down as many milk maids into the country; for there would not be a cow left unmilked by these precious rural guardians. It was all too much of a piece in these police matters; for Popay was unpunished, and M'Lean and the felon who stole the milk still retained their situations. He could not, however, sit down without mentioning the case of Mr. William Dean. In doing this, he must say, that the Commissioners had not conducted themselves before the Committee in the manner that was expected. It was they who brought up the name of Mr. Dean in the Committee; for Mr. Dean had nothing to do with the Committee. The Commissioners introduced his name by saying, that they had dismissed him, after two years' service, for some observations he had made relative to the Calthorpe-street affair. Mr. Dean might have acted indiscreetly in what he had said; but the Commissioners acknowledged that they had dismissed him from the Police, into which he entered with a most excellent character, and after he had satisfactorily fulfilled the duties of serjeant, without putting him upon his defence, or confronting him with his accusers. This he considered to be most indefensible partiality; for if the man who stole the milk was kept in the Police, surely this respectable man ought not to have been dismissed, for a hasty, inconsiderate, or indiscreet expression. The hon. Member concluded, by moving for a Copy of the Order dismissing W. Dean from the Police.

Colonel *Evans*, although he had great objections to the system of police, felt it his duty to bear testimony to the unimpeachable characters of both the Commissioners, especially Colonel Rowan, with whom he was personally acquainted. As to the case of the spy, which had been adverted to by the hon. member for Oldham, a clearer case had never been made out, and he could not believe that the superintendent was ignorant of the man's proceedings. He hoped that Government would take into consideration the propriety of visiting this man's conduct with something further than dismissal. With respect to Mr. M'Lean, he did not consider him fit to hold his present situation, for he was in the habit of employing as many as twenty persons in plain clothes. Such conduct could not be too strongly deprecated, and he must say, that it tended greatly to increase the prejudices against the police-system. The expense, too, of the system was much greater than that of the old. The whole expense of the watch, in the districts where the police were now stationed, was 137,000*l.*; the police force, however, during the last year, had cost no less than 215,000*l.* There was no doubt great objection to the old system, but, in his opinion, it only required modification. Such a course had been adopted in the city of London, and had been productive of the best effect. There was also very just complaints with respect to the viligance of the police; robberies were continually being committed, the perpetrators of which could not be discovered, and the servant of a friend of his was the other night robbed near St. Martin's church, when no policeman was to be found. It would be well worthy the consideration of Government, whether a modification could not take place in the force, such for instance, as giving some control to the local authorities.

Mr. *Lamb* said, that, with regard to the case alluded to by the hon. member for Oldham, he was of opinion that it called for the interference of the Secretary of State. The proof of Popay being a spy was certainly complete, with the exception of that part of the assertion which related to the recommending assassination, but he (Mr. Lamb) had been advised that he could not succeed in prosecuting him in Court, unless he relied on the odium that generally attended spies—for that reason he did not think it his duty to prosecute him, but he wished it to be known that Popay was dismissed from the police. With regard to Mr. Wm. Dean, whose offence was that of having expressed very strong opinions respecting the Calthorpe street meeting, where he was not present, when he was examined, his language was so violent as to induce a belief that his mind was affected. As to what had been said by the gallant Officer, about policemen being employed in plain clothes, it certainly did appear that twenty of them had been so employed at different times, for the purpose of detecting felonies, but the twenty had never been employed all at one time. It was to be recollected, that before this force was formed at all, all the officers that were employed were nothing more nor less than policeman in plain clothes. It had been very much considered by Sir Robert Peel, whether they ought to wear uniform or not; and, upon the whole, it was considered better that they should wear uniform. Although this had been so decided, it would be impossible for them to leave off wearing plain clothes altogether. As to the expence of the police, the accounts were regularly laid on the Table, and it was to be hoped the rates in future would not press so heavily as to be the source of any prejudice against the police.

Mr. *Warburton* thought, the hon. member for Oldham was entitled to the thanks of the House, for bringing forward the Motion. He considered Mr. M'Lean's conduct to be such as to deserve severe censure; and he doubted much whether he ought to be continued in the service. With regard to the conduct of the Commissioners, in their peremptorily dismissing any person from the police, it was but proper that they should have such a power; and, looking at Dean's conduct, he could not say that he had been improperly dismissed. The hon. member for Oldham had certainly proved a strong case of espionage against Popay, and he was very properly dismissed. The reports which that man was constantly making to his superiors, ought to have convinced them that he was greatly exceeding his duty, for it appeared that he reported the speeches of one of the hon. members for Southwark, and another for Middlesex, at public meetings, and he ought to have been checked long ago.

Mr. *Hawes* said, the House and the public ought to feel indebted to the hon. member for Oldham, for the manner in which he had brought those proceedings forward. There was no doubt that Popay well deserved the appellation of a spy, and he thought that the superintendant was very remiss in his duty, for not exercising proper vigilance over Popay, who, it was proved, had attended meetings of the National Union. With respect to the Commissioners, he knew of no two men of more honourable character. As to the expense of the New Police, the hon. and gallant officer (Colonel Evans) had underrated the real amount of the old police, for the Trustees of the Roads paid the expense of watching those roads formerly, and that the public did not know the amount of; whereas these roads were now watched by the New-Police.

The *Solicitor General* approved of the dismissal of Popay, against whom such a case had been established, that it would be disgraceful to continue him on the police. Whether any further punishment should be inflicted upon him or not, was a different thing. The House should recollect what a flagellation he had got from the hon. member for Oldham, and he hoped, therefore, that the hon. Member would think that all which it was necessary to do had been done.

Lord *Hotham* said, that without involving other cases in the present, he thought the police force of the metropolis and its vicinity highly valuable, and he would, therefore, add his testimony to that of the hon. member for Lambeth. The only object of the Commissioners must be to carry into effect the intentions of the Legislature and the directions of the Executive Government. The more the system was inquired into, the more the public would be satisfied that great praise was due to those individuals, in the discharge of a duty equally invidious and laborious. He did not deny that the system might be improved; but it was to him, and, he believed, to others, a matter of surprise, that so little cause of just complaint had been discovered during the existence of the police establishment.

Mr. *Cobbett* wished only to say a few words in reply, particularly on the charge of prevarication he had formerly brought against the Commissioners. By prevarication he meant shuffling, and it was established by the testimony taken before the Committee. In their conduct, as regarded Popay, he attributed to them nothing more than laziness; he charged them with not making themselves duly acquainted with facts; for had they known them, they could not have kept such an odious wretch in their employ. He was convinced, that a bad impression would be produced on the minds of the people, unless a fit degree of vigilance were kept up, in order that criminals and persons unworthy their situations might be dismissed from the force.

The hon. Member withdrew his Motion.

HOUSE OF LORDS,

Friday, August 23, 1833.

MINUTES.] Bills. Read a second time:—Edinburgh Community of Estates; Sea Apprenticeship; Tithes (Ireland); Tea Duties; Chancery Offices; Land Tax Commissioners. —Read a third time:—Slave Trade Conventions; Notaries Public.

Petitions presented. By Viscount MELBOURNE, from the Lace Manufacturers and others of Radford, for Including Children employed in Lace Factories, in the Provisions of the Factories' Regulation Bill.—By the Duke of WELLINGTON, from the Cotton Spinners of Glasgow, against the above Bill.

RENEWAL OF THE BANK CHARTER.] The Earl of *Ripon* moved, that this Bill be committed. As their Lordships had agreed already that this Bill should be read a second time, it was now his duty, before it went into committee, to state to them the circumstances which had induced the Government to form their present bargain with the Bank of England, and to call upon Parliament to ratify, as it would ratify by assenting to this Bill, the terms of it. Their Lordships were doubtless aware, that by the law as it stood at present, the Charter of the Bank of England was liable to be put an end to at any period after the expiration of the month of August, 1833, after giving to the Bank twelvemonths' previous notice to that effect; and it was obvious that; whenever the law fixed a period at which it was requisite that such a notice should be given, it was for the benefit of all parties that some definite arrangement should be instantly made. The Government had therefore felt it to be its duty to signify to the Bank that a new arrangement must be undertaken, with a view to the removal from the Bank Charter of a considerable portion, if not of the whole, of the advantages which that corporation at present enjoyed. As to the general question of the maintenance of a great banking company with exclusive privileges, it was a question on which, as a matter of speculation, considerable difference of opinion might reasonably enough be entertained. Many persons, he knew, thought that it was not advisable that this Company should exist any longer with exclusive privileges, which gave them the power of accommodating the Government on the one hand, and of affecting the general circulation of the country on the other. Others entertained a contrary opinion, and if upon a comparison it had not been found, that the reasons for the maintenance of such an institution preponderated over those which were urged in favour of making a total change in its existence, he admitted, that it would have been difficult, if not impossible, for Parliament to have devised any means by which the business of that Corporation could have been transacted with equal convenience to the public and the Government; considering, however, the nature of the institution, the length of time which it had existed, and the manner in which its concerns were mixed up, not only with the King's Government, but with the King's subjects in every part of the King's dominions, and more particularly in England, he was sure that their Lordships would feel that it would have been an unwise policy for Parliament to have extinguished this Corporation, as by the law now in existence it had the power to do. This subject was not new to their Lordships, for it had been investigated by a Committee of the other House last Session, and the evidence which that Committee had taken had been laid some time ago upon their Lordships' Table; their Lordships had, therefore, the means of forming an opinion, whether it were desirable that the Bank of England, as a Corporation with exclusive privileges, should exist any longer. He knew that many persons objected to the sort of connexion which existed between the Bank and the Government, and also to the power which the Bank possessed of regulating the circulation of the country. It was possible, undoubtedly, that these circumstances might lead to abuses; but no man, he thought, would go the length of saying that the mere possibility of abuse should be taken as a reason for depriving the public of the great advantages which it had derived from this institution, both commercially and financially. These considerations would, he trusted, be sufficient to satisfy their Lordships that it was desirable that the Bank of England should remain intrusted with considerable powers—that it was desirable that it should continue to enjoy most of those functions which it had hitherto enjoyed—and that it was desirable that the country should go on deriving from its connexion with the Bank the advantages which had already been derived from it. The question then was "how is this body to be continued—on what terms, and in what manner, shall these powers be granted—and how shall its conduct in future be regulated?" He would now proceed to state what were the terms which the Government had made with the Bank—what were the provisions under which the Bank was to enjoy certain privileges—and what were the modifications which this Bill proposed to make in the existing Charter. It was unnecessary for him to go clause by clause through the Bill, and he should therefore consult the convenience of their Lordships, by referring to those clauses only which he deemed of essential importance. The second clause of the Bill contained this enactment—that during the continuance of the privileges reserved to the Bank of England, no banking company of more than six persons should issue notes payable on demand within London, or sixty-five miles thereof. This was a mere re-enactment of the law passed in the 7th year of George 4th, by which, as the Bank of England consented to forego certain privileges to which it was entitled from the public, the public conditioned to prohibit the formation of certain banking companies within certain limited distances from London. It had not been thought right, on the present occasion, to diminish the radius of that circle. The next provision of the Bill related to the same subject, but involved in it something of novelty. After reciting, that doubts had arisen as to the construction of former Acts, and as to the extent of the exclusive privileges conferred on the Bank by former charters, and after declaring that it was expedient that all such doubts be removed, the clause declared the law to be such as authorized the formation of banking companies, not being banks of issue, but only banks of deposit in London, or within sixty-five miles of London, even though they should consist of more than six partners. On this point great doubt had prevailed during the existence of the last charter. He knew that great authorities were ranged on both sides of the question; but as those to whom the Government were naturally in the habit of referring—the law advisers of the Crown—had expressed a strong opinion that by the existing law there was no prohibition upon the establishment of such joint-stock banks of deposit within a circle drawn with a radius of sixty-five miles from London, the Government had felt it their duty to abide by that opinion. He had always understood, not only that there was doubt as to the construction of the former charter, but also that the fact was, that within the circle to which he had just referred there were many banks of deposit with more than six partners. The duty, therefore, of Government, and of Parliament was to pass such a declaratory enactment as would leave no doubt upon the subject, and therefore, at the moment, when the question was raised and public attention drawn to it, it would have been erroneous policy, if not a dereliction of duty, in the Government and the Parliament, if they had abstained from making a positive regulation on the subject. On this account, resting upon the opinion of the law officers of the Crown, that the existence of these banks of deposit within the circle which he had just described were consistent with the law as it stood at present, the Government now proposed a declaratory clause that such joint-stock banks of deposits could be formed with more than six partners in London, and within sixty-five miles of it. For his own part, he could not see any objection in principle to the formation of such banks, nor could he see how they would interfere with the privileges of the Bank of England, or with the exercise of those advantages which this Bill was intended to confer upon that Corporation. He again repeated, that he felt it unnecessary to go clause by clause through this Bill; he would therefore content himself with stating that the next clause enacted that all notes of the Bank of England payable on demand, which should be issued out of London, should be payable at the place where they issued, and that the Bank, or their agents, should not issue at any place out of London any such notes not so payable. The advantage of this clause was so palpable, that he felt that it would be a waste of words to utter a syllable in justification of it. The next clause related to the termination of the exclusive privileges which this Bill granted to the Bank. The sixth clause was one of considerable importance—it was also a new clause, and therefore he would explain to their Lordships why it was considered a material point by those who had undertaken the introduction of this Bill. It made the notes of the Bank of England under a certain limit a legal tender, except at the Bank and its different branch banks. This proposition was at first sight startling, and was liable to this inconvenience—namely, that it tended to create an over-issue of paper which was liable to affect the stability of the Bank itself, and to derange all the commercial speculations of the country. Now, if he could bring himself to think, that such a result were likely to arise from this clause, he should be the last man in the world to recommend it to the acceptance of their Lordships. He thought, that the country had suffered enough already from the variations of the law on this subject—variations which were justified at the time by the immediate necessity of the case, and which admitted of no other justification. Anything, therefore, which had a tendency to renew such variations, would, in his opinion, not be desirable. This clause, he contended, would have no such effect; indeed, it was so worded as not to preclude Parliament from dealing with it whenever Parliament thought fit. It was not part of a positive bargain, for the words of the clause were to this effect:—" Be it further enacted, that from and after the 1st day of August, 1834, unless and until Parliament shall otherwise direct, a tender of a note or notes of the Governor and Company of the Bank of England shall be a legal tender, &c." It was obvious, therefore, that it was competent to Parliament to revise this part of the case, and to act as it might deem expedient. The limitation of the legal tender in Bank of England notes was to sums above *5l.*,—for instance, a *5l.* Bank of England note would not be a legal tender for a debt of *5l.*; but if a man owed a debt of *7l.*, the tender of a *5l.* note with two sovereigns would be a legal tender. If such a circumstance was to occur as a great political or a great commercial panic—a circumstance which, though not very probable, was still supposable—he thought that the existence of this provision would be a great security not only to the country banks, but also to the Bank of England itself. The country bankers, whose habit it was, not to retain in their coffers more than one-twentieth part of their circulation, would find it a security, because it would be of the same advantage to them on all future occasions, as experience had proved it to have been in the crisis of 1825, to issue notes of the Bank of England rather than to produce gold, in payment of their own paper. He had no hesitation in saying, that the issue of Bank of England notes at that time had stopped the progress of that alarming and dangerous crisis. Judging by the successful result of the experiment which was then tried, and which was warranted by necessity, he had no hesitation in predicting that great advantage would result to the country banks from the permission now granted to them of taking up their own notes in paper of the Bank of England. He also contended, that as far as regarded the Bank of England this clause would also be a great security. Whenever a panic arose, the natural object of all the country banks was, to obtain a supply of gold, at a great expense, undoubtedly, to themselves, but, nevertheless, not without considerable inconvenience to the public. Now, whenever circumstances compelled the country bankers to get gold from the Bank, other circumstances, either precedent or concomitant, or it might be both, placed the Bank under no inconsiderable difficulty as to the supply of gold, for the first thing that occurred was the turn of the exchanges against this country. It then became more profitable to export gold from this country than commodities or produce of any kind; and the Bank might then be imperceptibly, and even without its own knowledge, drained of the greater part of its cash. Now, that would necessarily compel the Bank to diminish its issues. The country banks, in that emergency, might begin by extending their issues, thereby counteracting, to a certain extent, the proceedings of the Bank of England. But, then, before long, the operations of the Bank of England would compel the country banks to contract their issues; that would occasion great alarm, great inconvenience, and great fluctuation in prices; these circumstances would again occasion a great run upon the country banks, and that again, in its turn, would compel the country banks to draw on the Bank of England, in order to meet the demands upon them for payment of their own notes. This, too, would take place at a period when the Bank of England would be almost drained of gold, so that it would only have a small sum to draw on, and would thus be placed as it was in the year 1825, in a situation of great difficulty and embarrassment. Thus, by enacting, that bank-notes should be a legal tender except at the Bank itself and the branch banks, the danger which he had described would be satisfactorily met, without being liable to the charge of having a tendency to produce that danger. The next clause enacted, that bills not having more than three months to run should not be subject to the Usury-laws. Now, this would certainly be of great convenience in mercantile transactions. It did not affect the general principle of the Usury-laws, on which, though he entertained a very strong opinion, he would not be tempted to say a single word on the present occasion. It was considered as a great relief to commercial men, and on that ground he should rest its justification. The next provision of the Bill to which he had occasion to call the attention of their Lordships was new, and, in his opinion, of considerable importance; it was a provision which required a certain publicity to be given to the amount of bullion and securities in the Bank of England, and to the amount of its notes issued and in circulation. That subject had been fully investigated before a Committee of the House of Commons last year; and though there was some doubt as to what the mode of proceeding ought to be, he thought, that the doubt was rather as to the time than as to the principle of giving publicity to such accounts. For his own part, he had never been able to see what danger could arise to the Bank if this degree of publicity existed. It had always appeared to him, that one of the evils of our banking system was, that no man could make himself acquainted with the amount of the circulation of Bank of England paper at any given time. Great changes occasionally took place in the amount of bank-notes in circulation, and in the supply of gold in the coffers of the Bank to meet them. The consequence was, that all persons acting extensively in commercial transactions were acting in the dark. They might watch the turn of the exchanges, as the best criterion of judging of the amount of paper in circulation, but even that criterion was not always to be depended on; and, therefore, he thought, that it would be more satisfactory to the public that it should know, at stated periods, better than it did at present, the amount of bank-notes in circulation. In the Bank of France this publicity had long prevailed. He knew that circumstances were different in the two banks, for the circulation of paper in France was considerably less than it was in this country; still, he had never heard, that any disadvantage had arisen from the publicity given to the accounts of the Bank of France. At any rate, the Bank of England did not think, that the publicity required by this clause would lead to any inconvenience which would prevent them from discharging their duty properly towards themselves and the public, under the terms which this Bill was introduced to ratify. The next clause was, to authorize the Bank to reduce the amount of its capital stock. The public were now bound to repay the Bank one-fourth part of the debt of 14,686,000*l.* borrowed in 1816, at which time the capital of the Bank was raised to its present amount. As to the Bank itself, the repayment of the whole sum would, at present, be an inconvenience; and, therefore, they only called for the repayment of 3,600,000*l.* The only other part of the Bill to which he had further occasion to direct the attention of their Lordships, was that by which the Bank agreed to deduct the annual sum of 120,000*l.* from the sum hitherto allowed to it by the public for the management of the National Debt. He knew, that it had been said, that, in not getting a larger deduction than 120,000*l.*, the Government had not sufficiently consulted the advantage of the public. He admitted, that the Government might possibly have driven the Bank to make a larger deduction than 120,000*l.*; but, considering the claims which the Bank had upon the country, he thought, that it would not have been a wise course to have urged the Bank to a greater sacrifice than could in reason be expected from it. The public had great advantage over the Bank in making a contract of this nature, and might, perhaps, drive the Bank to its own terms; but that was no reason why the public should extort from the Bank terms which it was not fair for the public to ask. He thought, that, looking to the services which the Bank had rendered, and would again render, to the Government on the one hand, and to the public on the other, it would not have been wise in the Government to drive the Bank to the wall. When, therefore, the Government came to discuss this question with the Bank, the Government thought, that, by accepting the reduction of 120,000*l.*, which the Bank offered, they made such terms with it on behalf of the public as secured to the public an adequate compensation for the advantages which the Bank derived from the public. He could call upon his noble friend (Lord Bexley), who had been his colleague in office, and was well acquainted with the Bank, to speak to the utility of the Bank through all the years that he had been connected with the Government. He was sure, that no man was more alive to the services which it had rendered to the country, and upon that ground, as well as upon the other grounds which he had stated, he called upon their Lordships to ratify the contract which, in this Bill, was made between the Bank and the public. He had now done; but, before he closed his observations, he would say a word or two on another Bill, which was at present before their Lordships, and which was closely connected with the subject matter of this Bill. That was a Bill by which it was provided, that the country bankers should keep accounts of the number of stamps consumed by them, to be transmitted to the Government, and this was a very important branch of the subject, inasmuch as great difficulty had arisen from the Government not knowing the extent of the circulation of country bankers. The noble Earl concluded by calling on their Lordships to give their assent to a measure which was well calculated to ensure the prosperity of the country.

The Duke of *Wellington* asked, whether the last clause to which the noble Earl had alluded was part of the arrangement with the Bank?

The Earl of *Ripon* said, that it was.

The Duke of *Wellington* proceeded to address the House. He quite agreed with the noble Earl (the Earl of Ripon) in thinking that his Majesty's Government had acted rightly in proposing a renewal of the Charter of the Bank of England; and also, that, in carrying on a bargain with that body, they acted rightly, while securing to the public some return for the advantages they held forth, in not bearing too hard on the Bank. The noble Earl, however, seemed anxious to take merit on behalf of the Government for having treated the Bank with considerable forbearance; but, so far as he had been able to understand the arrangement, he confessed he saw in it no evidence of any extraordinary forbearance on the part of the Government; and unless he was much mistaken the Bank of England altogether coincided with him on that point. Unquestionably in some of the details of the arrangement the Bank was a gainer; but, when he considered the price which the Bank was called upon to pay for these advantages, he could not think the public had any reason to complain that the Bank had been favoured in the arrangement. At all events such was his conclusion, and he was induced to adopt it because, in point of fact, the Bank had been obliged to reduce their capital in order to meet the terms which Government required. If those who thought the Bank ought to have been pressed a little further in the arrangement of the bargain would only reflect dispassionately upon its terms, there could be no doubt they would soon come round to the opinion, that, so far from not being pressed enough, the Bank had been driven to the extreme bounds. The part in the arrangement to which he entertained the greatest objections, was that which constituted a Bank of England note a legal tender. Since he had first turned his attention to the question of currency he had always maintained the opinion, that, by the arrangement of 1819, which arrangement had been improved upon in 1826, and subsequent periods, the money system of the country was placed on the very best possible footing. The basis of that system was a solid gold circulation. Hitherto the detail payments in every transaction were made in gold, while the larger, or he might use the term wholesale, payments were made either by gold or credit, at the convenience of the parties. Now, when transactions were conducted on credit, on what was that credit based? Surely it was on the reliance of the parties that the paper, which was accepted on credit, was liable to be paid on demand when presented at the Bank of England or any of its branch banks. Whenever a man chose to cease giving credit to his debtor, all he had to do was to proceed to the Bank and demand payment in gold of his paper security, and he was sure to get it; and the effect of the arrangement was a great increase to the commercial facilities, and, consequently, the commercial prosperity, of the country. Under the present Bill such a system could not take place. The immediate convertibility of the paper security was doubtful, and, while doubt existed, it was idle to expect credit payments would be admitted. He did not go the length of saying, that it would be impossible to receive gold for paper if it was desired; but, on the first appearance of the arrangement, there was every reason to fear considerable difficulty would be experienced in obtaining it. Looking to the clause in all its bearings, he did not hesitate to say, he considered it intended for the depreciation of the paper of the Bank of England, and had he been a Bank Director at the time it was proposed as part of the bargain, he would never have consented to any such arrangement. Indeed, looking at the arrangement throughout, he never could understand for what reason the Bank of England had adopted it. It was impossible for the Bank, do what they might, to avoid the depreciation of their paper. From the moment Parliament interfered, and gave to that paper a value which intrinsically it possessed not, it must inevitably become depreciated, to the great loss of the Bank, and to the general insecurity and dissatisfaction of the public. But it was not alone the depreciation of the paper the Bank had to fear as a consequence of the arrangement. In many other points of view the Bank would, ere long, feel further inconvenience from it. What was the object of the Government in proposing the arrangement? Evidently it was intended either to give to the Bank of England paper a value it did not possess, or to facilitate credit generally, and in particular to enable country bankers to extend their credit far beyond the limits they were under the present system enabled to reach. Indeed, the noble Earl had admitted, that the consequence of the arrangement must be to facilitate the issues of country bankers, and thus to augment their transactions. But did their Lordships consider the probable results of facilitating the issues of country bankers? Did they consider the effect of such a measure on the prices? For his part he apprehended nothing less than a great increase of prices, and the inevitable consequence of such an increase, experience gave reason to fear, would be the distress and ruin of many thousand individuals. Now, not one of those evils could happen if the present system was continued, and yet it was to be abandoned for the sake of trying an experiment. Since the establishment of the present system, the money transactions of the country had been brought to precisely that wholesome and sound condition, on which alone public confidence could be based, and the proposed departure from it he, for one, viewed with the greatest alarm and distrust. With regard to the details by which the new arrangement was to be carried into effect, he had likewise one or two remarks to offer. In the first place he thought the arrangement for the taking up of Bank of England notes likely to cause considerable confusion. By the Bill, as it then stood, a note issued by the Bank of England, was not liable to be taken up and paid at any of the branch banks. At present it was so, but under the new arrangement the note must be brought for payment to the same Bank by which it was issued. [The Earl of *Ripon:* No, no!] True; the notes issued at the branch banks could be presented for payment either at the branch bank from which it was issued, or at the Bank of England; but a Bank of England note, under the new arrangement, could only be presented for payment at the Bank—a measure for which he saw no necessity, and from which he apprehended no small degree of confusion. There was another point of view in which he considered the details objectionable. The noble Earl had that evening given him some information which he confessed no perusal of the Bill, in his opinion, could have afforded him, namely, that a five-pound note would, under some circumstances, become a legal tender. His impression, from an attentive perusal of the Bill, was, that under no circumstances whatever, a five-pound note constituted a legal tender; but somewhat to his surprise the noble Earl had stated, that a five-pound note and two sovereigns, would be a legal tender for seven pounds. At present, however, he would pass from that part of the Bill. When the Committee proceeded to that part of the Bill, he would certainly endeavour to have a clear understanding on that point. But to show the working of the Bill in another point of view, he would suppose the case of a country banker declining to issue notes under 10*l.*—an expedient which he could see no reason a country banker should not adopt, and in that case, what answer would he give a party bringing one of his own notes for cash payment? Would he not, to suit his own convenience, either give two five-pound notes, when it appeared they were legal tender, or a ten-pound note of the Bank of England? And what redress would the party have? None, whatever. He might ask for gold, but the reply of the banker would be, "I here offer you what the law looks upon as a legal tender, and, if you want for your convenience to be paid in gold, you must pay me either five per cent. or ten per cent., whichever it may be, for the accommodation." Now, what would be the inevitable result of such a state of things? Why, a general agio for gold throughout the country. He had now stated the objections he entertained to that part of the measure relating to the legal tender. He was opposed in the first instance, to its principle, and, secondly, to its details; to the principle, because, in a certain degree, it lost sight of the only secure basis on which the money system of the country could be based, namely, a solid metallic circulation, a departure from which would produce a depreciation in the value of bank paper and an increase of prices; and to its details, because, from the confused form in which they were drawn up, their only effect must be to render an ill-advised and dangerous experiment, difficult to be understood even by the most acute understanding, however conversant with the subject of banking. There was another part of the proposed arrangements to which he was also strongly opposed: he meant the clause which enabled firms of more than six partners to establish banks of deposit in the metropolis, and within the prescribed circuit. In the first instance, he believed, it was intended by Government, and, unless he was much mistaken, formed a part of the original proposition to the Bank, that such banks of deposit should not be established; and he was yet to learn why that intention had been abandoned. It was generally understood, that the establishment of banks of deposit within the metropolis was prohibited by Act of Parliament, said to have been in force for 150 years; but before the Bill had passed through all its stages in another place, it was discovered that that which had been the law for 150 years was, in point of fact not the law, and that it was perfectly legal for banking firms of more than six partners to establish banks of deposit. A very learned Gentleman in the other House of Parliament having given a legal opinion that the law on the subject was for 150 years misinterpreted, instead of taking measures to ascertain by some of the ordinary modes what the law was or what it had been, his Majesty's Ministers thought proper to introduce a clause into the Bill, declaring the law on the subject to be directly the contrary of that which it was understood to be, and that which had been in force for upwards of 150 years. Such was the history of the clause to which he alluded. The course which Ministers had adopted might on some ground, of which he begged to say he was ignorant, be defended; but he appealed to their Lordships whether, on any ground whatever, it could be considered fair conduct towards the Bank. But the question for their Lordships to consider was, whether the arrangement that firms of more than six partners might in future establish deposit banks in the metropolis would not be highly prejudicial to the interests of the Bank of England, and very dangerous to the general interests of the country? In the first place, was there any necessity for the change? In his opinion there was not; for the existing system, while it gave very general satisfaction, was attended with every requisite security, and had gone on as well as it was possible any system could go on for a period of upwards of 150 years. But it was in its consequences upon the security of the Bank of England, the change was chiefly to be dreaded. One of the main resources of advantage as well as security to the Bank of England was, the large deposits it constantly received from private banking firms, which source would be at once cut off by the establishment of a number of deposit banks. At present, the banks of deposit were few in number, and, consequently, merchants and capitalists of all kinds, occasionally placed very large sums for security in the Bank of England; but when the capital of the country became scattered over a number of deposit banks, there would be little or no necessity for any such security, and, consequently, the Bank would gain nothing by the deposits of private individuals. What had caused the panic of 1797? It was generally attributed, he believed, to the large loans borrowed by Government, and to an extraordinary expenditure abroad; but to neither of those causes did he attribute it, because in later periods, and within his own recollection, larger loans had been raised by the Government, and greater expenditure had taken place abroad than at the period he had mentioned without the recurrence of a panic. It was what was called the "Loyalty Loan" that had caused the panic of 1797, and it did so by taking the deposits from private banks, and through them from the Bank of England. In every point of view he thought the clause upon which he was then commenting, would do more injury to the Bank of England than any other part of the Bill; and it was with the greatest surprise he understood the Directors and Proprietors of the Bank acquiesced in it. The noble Duke concluded, by stating it was not his intention to offer any opposition to the House going into Committee on the Bill.

The Marquess of *Lansdown* observed, that his noble friend had so clearly explained the provisions of the Bill, that it was quite unnecessary for him to trespass long upon their Lordships' patience. He perfectly agreed with what had fallen from the noble Duke as to the basis of our circulating medium. If there was a point on which he entertained a more distinct and deliberate opinion than another, it was, that any departure from that principle which placed the circulating medium on a metallic basis, would endanger its security. If anything entitled the Government, or he would rather say, the Governments of this country to the confidence of the public, it was the firmness with which, resisting every temptation to the contrary, they had adhered to sound principles of currency, and had placed and continued the circulating medium on what he hoped would ever be its unalterable basis. He was not sorry, therefore, that this point was one which had attracted the notice of the noble Duke; and if he (Lord Lansdown) could for a moment believe, that it involved what the noble Duke thought it involved—a depreciation of the paper of the Bank of England—no consideration on earth should prevent him from giving so fatal and destructive a proposition his full and uncompromising opposition. But it was because he differed from the noble Duke—because he took the same view of the subject as must be taken by the Bank of England, whose duty it would have been, if they supposed that the measure was calculated to depreciate their paper, to have abstained from giving it that degree of approbation which they had expressed towards it, that he warmly supported the Bill. As long as paper was convertible into a metallic standard, he contended that the credit of that paper must be sound and good. He had been on Committees upon the subject with the noble Duke; and the noble Duke must agree with him, that the security of paper depended, not on the amount of gold in the country, but on the amount of paper as compared with the wants of interchange, and to the amount of gold all over the world. All that the clause to which the noble Duke objected went to, was to give to the country bankers only that degree of credit which would render it necessary that they should provide themselves with Bank of England paper instead of gold; and of thereby not undergoing the expense (an economy worth attending to) of the transmission of the precious metals from place to place. If our places of business here, were very remote from one another, as for instance in the United States of America, he might join in the apprehension entertained by the noble Duke; but he could not believe, that in England, where the post gave opportunities of daily communication between every part of the empire, the circumstance of being occasionally obliged to have recourse to London, could be attended with any serious inconvenience. Whereas it would be attended with considerable advantage, that where the whole circulation was regulated by the Bank of England, the check should be at its fountain head; thereby rendering that operation simple, which would otherwise be compound. If it should enter into the head of any person to fancy that a country banker might not provide gold enough for ordinary purposes, the answer was, that the common competition of one bank with another would soon cure that evil; it being evident, that that bank would have preference which was most liberal in its issues of gold. But gold would be called for only in cases of panic; and at other times it was desirable to do as much work as possible with the least possible quantity of gold; there being always an ultimate security at the branch banks or at the Bank of England, for the immediate commutation of that paper for gold. On the other subject to which the noble Duke had called their Lordships' attention—namely, to enable banks of deposit, with more than six partners, to carry on their business in London, it certainly had not been the intention of his Majesty's Government to make any change in the law. But they were bound to take the law as they found it. It was not for him to go into the legal argument. The law officers of the Crown had been consulted, and the grounds of their opinion were before their Lordships and the public. He had reason also to believe, that those grounds were pretty generally considered as satisfactory. It certainly appeared from them, that the law had always been what it was stated in the present Bill to be.

Lord *Wynford* said, that the Government had certainly taken a most extraordinary course to effect the object thus stated by the noble Marquess. If the professional advisers of the Government had really thought, that the law was as declared in the clause in question, why had more than a usual declaratory clause been inserted?

He believed, however, that legal men had been unanimous in their opinion, that under the existing laws no banks whatever could be established within the specified limits; and there was only one banking house in London, that of Messrs. Glynn, whose practice as to the number of partners differed from that of the remainder. This discovery of the supposed meaning of the law was at least quite new, and it was surprising, indeed, that commercial men, usually so acute in matters relating to the advancement of their own affairs, should not before now have discovered the real meaning of the laws, and have applied the discovery to their own advantage. There was an authority also whom he would name in support of the view he had stated,—that of Adam Smith, who had so understood the law as to declare, that the Bank of England had an exclusive privilege of banking of every description within the before-mentioned limits. It was clear also from the correspondence between the Chancellor of the Exchequer and the Bank Directors, that, in the early period of the progress of the Bill, it was supposed by all parties that the Bank of England had the exclusive monopoly of banking of every description within the prescribed limits, and as the basis of the arrangement was, that all the privileges hitherto enjoyed by the Bank should now be confirmed to them, he (Lord Wynford) did not see upon what principle of justice the other disposition had been subsequently made. The Acts of Parliament to which he would refer as supporting the construction of the law hitherto acted upon were as follows:—By the 8th and 9th of William 3rd, chap. 20, it was enacted by sec. 18, that "during the continuance of the corporation of the Governor and Company of the Bank of England no other Bank, or any other corporation, society, fellowship, company, or constitution, in the nature of a bank, shall be erected, or established, permitted, suffered, countenanced, or allowed by Act of Parliament within this kingdom;" and he (Lord Wynford) contended, that those words referred to every description of bank. Then, by the 6th of Anne, chap. 22, sec. 9, it was enacted, 'that it shall not be lawful for 'any body politic or corporate whatsoever, 'united or to be united, in covenant or 'partnership, exceeding the number of six 'persons in that part of Great Britain 'called England, to borrow, owe, or take 'up any sum or sums of money on their 'bills or notes payable on demand, or at 'any less time than six months from the 'borrowing thereof.' This Act was passed, because, since the pussing of the former Act, banks of the description there referred to had been set up, which "frauds" it became necessary to put an end to. And to prevent the existence of any doubt on this subject, the 15th George 2nd, cap. 13, was passed, giving to the Bank of England the privilege of exclusive banking, and also enacting, that no other bank should be erected, established, or allowed. Precisely the very same words were to be found in every Act of Parliament relative to this question, down to the 39th and 40th of George 3rd, which was the statute under which the Bank at the present moment held their Charter. Could it be denied, then, that the establishment of joint-stock banks of deposit in the metropolis, or within sixty-five miles of it, was an infringement upon the acknowledged privileges of the Bank of England? He begged to tell the noble Lord opposite, that all the evils which he thought likely to result from the institution of banks of issue in London would as certainly follow the institution of banks of deposit. The Bank of England had been properly described as an instrument of great public utility; one great advantage attending which was the power it possessed of regulating the exchanges, by contracting or extending its issues, as the circumstances of particular seasons might seem to require. But how could the Bank of England perform this office with effect, if other banks, possessing an enormous capital, (and he had heard of one to be started with a capital of 8,000,000*l.* or 10,000,000*l.*) and holding a considerable quantity of bills upon the Bank of England, were allowed to be established? He was quite sure, that these Banks would have the power, when it suited their own particular interest, to render abortive all the endeavours of the Bank of England properly to regulate the exchanges. But, independently of these considerations, he contended, that the privileges of the Bank ought not and could not be taken away by Parliament: because no public body whatever had the power legally to commit acts of injustice, and the principle which was now attempted to be applied to the Bank of England would, if acted upon, establish a precedent by which similar injustice might be done to every other class of the community. There was another Act of Parliament which appeared to him most decisive on the subject, and which, he was persuaded, must, by some accident, have escaped the observation of those whose duty it had been to draw up the present Bill—he alluded to the 7th George 4th, chap. 46, by which the privileges of the Bank of England were limited to a boundary of sixty-five miles round London. What was the inference he drew from this Act of Parliament? That no banks consisting of more than six partners could, until the passing of that Act, be established in any part of England. But if his Majesty's Ministers thought, that the Bank of England had no right to the enjoyment of exclusive privileges to the extent to which it now claimed them, why did they not at once acquiesce in the proposal which the Bank made—namely, to introduce a clause declaring the continuance of all the privileges granted to the Bank, except so far as they might have been altered by the 7th George 4th? It appeared from this, that the Bank was contented with the law as it stood, and he could not conceive what pretence it was possible to put forward for the rejection of so fair a proposition on the part of the Bank. Their Lordships were, however, told, that Government had taken the advice of the law officers of the Crown, and they were called upon to pay due deference to their opinion. Yet, with all respect to those learned persons, he must be permitted to say, that their minds were liable to be swayed by prejudices; and, at all events, he thought, that it was not fit that the rights of the subject should be decided upon by the law officers of the Crown. Let the Courts of Justice remain open to the Bank of England, and, if the opinion of the law officers of the Crown was correct, the Bank must necessarily fail in any endeavour to prevent the establishment of banks of deposit in the metropolis consisting of more than six partners. It was but fair, however, to allow the Bank an opportunity of having that question decided; but of such opportunity it was deprived by the clause to which the attention of the House had been called. Whatever the law might be, the practice for the last 150 years had been for the Bank of England to enjoy exclusive privileges in London; and there was no justice in binding any party to a bargain to which he might have consented from a misunderstanding of the position in which he stood. He was aware, that the Bank had since agreed to the proposed plan of Government; but for what reason? Because it could not resist. The Bank protested against the injustice of the measure; but if Parliament resolved to commit an injustice, what could the Bank of England, or any other body of persons, do? He confessed he felt great apprehensions on the subject; for he was afraid lest this rivalry in banking should lead to the derangement of the monetary system of the country. When Parliament was pleased to extend the privileges of banking all over the country, except within sixty-five miles of London, it was required, that the names of all the co-partners in every bank should be sent to the Stamp Office. [The Earl of *Ripon:* That regulation refers to banks of issue.] He would admit, that it applied to banks of issue; but he would ask his noble and learned friend on the Woolsack how it would be possible to obtain justice against those great companies which were about to be established, unless it was made imperative that the names of the members should be registered? The public ought to be allowed an opportunity of knowing what was the state of their balances, and it was not right that the Bank of England should be looked upon with more jealousy than these new banking establishments. He certainly should be very glad to have the opinion of the Judges on the point, whether or not, under the existing law, banks of deposit consisting of more than six partners could legally be established in the metropolis. He was told, that it would be difficult to assemble the Judges at this period of the year; but he was ready to say, that if any one of them could be found to support the opinion on which the clause in the Bill was founded, he would at once forego his opposition to it. He begged, therefore, to submit to their Lordships, as an Amendment upon the original question, the following Motion:—"That before the House resolves into a Committee upon this Bill, the opinion of the Judges be obtained on the following question—whether, under the existing law, a co-partnership, consisting of more than six partners, can carry on the business of bankers in London, or within sixty-five miles thereof, though such bankers do not borrow or take up money on their bills or notes payable on demand, or within any period less than six months."

The *Lord Chancellor* said, he should trespass but a very few minutes on the attention of the House, while he endeavoured to answer the legal argument which had been put forward by his noble and learned friend. In the first place, however, he begged to state, that he would be the last man to express an approval of any measure, if he thought that its results would be to lead, by however long a process, to a depreciation of the currency of the kingdom. It was absolutely and imperatively necessary for the safety of all interests in this country, mercantile or otherwise,—for the stability of trade and agriculture,—that there should be no further tampering with the currency, and that no attempt or proceeding should be sanctioned by Parliament or the Executive Government which could by any remote possibility cause any change in the value of the circulating medium. How it could be said, that the present measure would cause a depreciation, or create a monopoly in the remote provinces in favour of the Bank of England, and therefore lead to a diminution in the value of its paper, he was at a loss to imagine. With much more reason, in his opinion, the measure might be described as calculated to make the paper of the Bank of England bear a premium. But he believed, that in reality the plan proposed by Government would be found to produce neither the one effect nor the other. His noble and learned friend had said, that the Bank of England had not been liberally treated by the Government. Now, for his part, he must say, that he should entirely disapprove of any measure not founded on good faith towards that company; but he begged to remind the noble and learned Lord, who had talked so largely of the advantages conferred on the country by this establishment, that there had been a reciprocity of benefit; and the noble and learned Lord was greatly mistaken if he thought the advantage had been all on one side. From the year 1797, when a little gentle violence was used against them, and when they were prohibited by an order in council from paying their notes in gold—a proceeding to which they were so averse that the order in council was found to be insufficient for its purpose, and it became absolutely necessary to pass an Act of Parliament to compel them, contrary to their most anxious desire, to suspend cash payments,—from 1797, he repeated, until the year 1819, the fact was that they did cease to pay their notes in gold, and they so greatly benefited by the violence which was done them, that their dislike to it gradually lessened, until, at last, they became gradually reconciled to it. It was also a fact, that during that period bank-stock rose to 280*l.* He thought these were circumstances which showed that the bargain which the Bank made with the public for thirty years was not a very hard one for themselves. The noble and learned Lord said, that the Bank had been obliged to yield to the Government; but he could see no symptoms of a yielding disposition on the part of the Bank. During the latter period of the negotiation the Bank resisted the Government, and if it had been minded to hold out it might have done so, and would have done so—for let not their Lordships deceive themselves on the subject—if it had not thought that it had made, upon the whole, an exceedingly good bargain. Indeed he knew that many persons considered the bargain to be a good deal better, as regarded the Bank, than it ought to have been, and that if there were any party which had not obtained such good terms as it was entitled to, that party was the public. His opinion was, however, that neither the public nor the Bank had any right to complain; and he was sure, that the Bank directors would laugh exceedingly if they were told that any one fancied they had been overreached in the transaction. He would now address himself shortly to the legal argument of his noble and learned friend. By the 15th George 2nd it was enacted, that no other bank but the Bank of England should be established or allowed by Parliament. So far this favoured the argument of his noble and learned friend, who, in referring to that Act, had contented himself with quoting those words. But the succeeding part of the clause clearly proved, that the Banks intended to be prohibited were banks of issue; for it went on to state, "that it should not be lawful for any body politic or corporate whatever, or any company of persons exceeding the number of six, to borrow money on their bills or notes payable on demand, &c." These last words, he contended, proved that banks of issue were intended to be prohibited by the Act; and when the Legislature, in William's time, enacted a general prohibition, the words used were exceedingly different. In the Act passed in the reign of King William, nothing was said about borrowing or taking up money on bills; but the restriction was general, and depended on the continuance of the corporation of the Bank of England. When he looked to the 7th George 4th, to which the noble and learned Lord had referred, he found in it a great additional argument in favour of the construction put on these

Acts by the law officers of the Crown, for the first part of the enactment was couched in those general expressions employed in the former Acts—a circumstance clearly showing, that the Legislature placed the same construction on them as that given by the law officers of the Crown. The fact that the law officers of the Crown were opposed, on this point, to the noble and learned Lord, was a sufficient answer to his assertion that all lawyers were unanimous in their opinion on the subject. The noble and learned Lord was equally correct in his statement, that no difference of opinion prevailed among bankers with respect to the state of the law. He had heard of more than one instance of a banking establishment being formed in London, consisting of upwards of six partners; and since he had taken his seat on the Woolsack that evening, he had been told by a noble friend, that a highly respectable firm openly carried on the business of banking at the west end of the town, the number of the partners being eight, until it was reduced by the death of one of the partners to seven. The noble and learned Lord concluded by expressing his disapproval of the Amendment (moved by Lord Wynford), as he conceived that great inconvenience and waste of time must be the consequences of their Lordships agreeing, at the present season of the year, to call the Judges before them.

Lord *Bexley* was not disposed to quarrel with the general provisions of the present Bill, but felt called upon to object to the legal-tender clause, and still more to that clause which went to declare that the law did not prohibit the establishment of joint-stock deposit banks within sixty-five miles of London. One fact was decisive, that neither the Bank of England nor the public believed that such was the law—namely, the fact that, on the one hand, no such joint-stock banks were ever thought of during the joint-stock mania, while, on the other hand, forty-eight hours had not elapsed from the moment that it was promulgated, on the authority of the law officers of the Crown, that such might be legally established, before a prospectus, involving a capital of 10,000,000*l.*, was issued and acted upon. Surely the fact, that not only the Attorney and Solicitor General were at variance with such a man as Sir Edward Sugden, and the Lord Chancellor, and Lord Wynford, on the interpretation of the law on this head, ought to make that House, the Court of last appeal, pause ere it pronounced that to be law which a more cautious scrutiny might prove was illegal; at least, they ought not to commit themselves till they had taken the opinion of the twelve Judges on this important and much-contested point.

The Earl of Ripon briefly replied.

The Amendment was negatived, and the House resolved itself into a Committee.

The 1st and 2nd clauses were agreed to.

On the 3rd clause being read,

Lord *Wynford* moved, as an Amendment, that the entire clause be omitted, and that a clause ensuring the Bank of England all the exclusive privileges granted by the 39th and 40th of George 3rd, and confirmed by the 7th George 4th, be substituted. The clause, as it stood, was a breach of public honour towards the Bank; and he really knew not why Ministers refused to wait for the opinion of the twelve Judges, unless they were pretty confident that that opinion would be adverse to their present proceedings. The learned Lord on the Woolsack had referred to the case of a joint-stock bank at the west end of the metropolis, as a proof that the Bank of England, no less than the partners in that concern, did not believe that the law prohibited the establishment of such banks. All he would then say, that if such were the case, he was greatly deceived if the Bank of England did not issue a writ and bring the matter to a legal issue; and very probably the learned Lord would have another opportunity of stating his opinion when hearing the case in that House as the highest Court of Appeal.

The *Lord Chancellor* could not but admire the praiseworthy zeal which prompted his learned friend to thus interfere in behalf of a body who had honourably proved their ability to judge what was, and what was not, inimical to their interests; and who, being the parties not only most interested but most competent to judge of the tendency of the present clause, had expressed their satisfaction with its provisions. To adopt, therefore, his learned friend's proposition would be not only a work of supererogation, but an implied assertion, either that the Bank Directors were not competent judges of their own interests, or that they unworthily shrunk from their duty towards those over whose interests they presided. He was sure that they were too enlightened to follow the hint of his learned friend, and issue a writ against the deposit bank to which he had alluded.

Lord *Wynford* said, that his learned friend was in error in asserting that the Bank Directors were satisfied with the provisions of the present clause. No later back than the 9th instant, in a letter to Lord Althorp, they distinctly stated that it literally and substantially went to take away those exclusive privileges which they enjoyed under Acts of Parliament; but that, in order to prevent the commerce of the country from being injured by delay in settling the question this Session, they submitted to its adoption.

The *Lord Chancellor* repeated, that to assert that the Bank Directors had agreed to the present clause on any grounds but a conviction that it would promote the interests of the Bank proprietors, was an imputation on their courage and fidelity. As a Joint Stock Company they were the trustees of the funds intrusted to their management; and, as such, had no right to enter into any arrangement which would prove at all detrimental to the interests of the Bank proprietors.

The Duke of *Wellington* said, that the question for their Lordships was not what bargain might have been made between a noble Lord and the Bank Directors, but what course they were bound to take in legislating upon this important subject. He maintained, that it had been clearly shown that the Bank possessed, by law, a privilege which was to be destroyed by a mere declaratory clause in an Act of Parliament. If the clause were left out and the law left to stand in its present situation, then if the noble and learned Lord's view of it was right, there could be no injury done by that course. While, on the other hand, if the opinion of his noble and learned friend were the correct one, then the law would be altered in a manner which he considered to be highly objectionable.

Earl *Grey* maintained, that it was the usage of Parliament to declare, in its legislative capacity, what was the law in cases of disputed interpretation. All that the present clause did was to declare explicitly what, otherwise, might be a matter of doubt, thereby conferring an advantage on all parties interested. To assert that the declaration would be a breach of public faith towards the Bank Directors, was to grossly misrepresent the fact. It was enough to declare, that Lord Althorp was the individual who managed the correspondence with the Bank, to repudiate the remotest imputations of want of honour or breach of faith. The character of that noble Lord was too high, and too universally appreciated by men of all parties, to admit of the remotest suspicion of the want of ingenuousness in any proceeding to which he was a party. That noble Lord entered into a bargain with the Bank of England that, on certain conditions, would insure that corporation a continuance of the exclusive privileges which it enjoyed under the existing law. The question then was, what those exclusive privileges were? And a doubt having arisen as to the extent of those privileges, Parliament was called upon to clear it up and prevent further misconception. But be it remembered, that the bargain was not ripe—not to say concluded—when the Minister judged it expedient to make an explicit declaration of the law on this doubted point; and that it was optional with the Bank to either agree to this declaratory enactment, or declare themselves off as to the bargain, and let the matter lie over till next Session. The Bank preferred the former choice, and therefore could not justly complain of a want of fair dealing. If the proposition of the noble and learned Lord were carried, it would defeat the Bill for the present Session, and he (Earl Grey) should feel himself called upon to move that the further proceedings of the Committee should be deferred till that day six months.

The Duke of *Cumberland* begged leave to remind the noble Earl, that his learned friend's Amendment was not for them to await the opinion of the twelve Judges.

Earl *Grey*:—If the illustrious Duke had taken the trouble to attend to what I did say, he would know that I did not say that the learned Lord's Amendment was for waiting till they had the opinion of the Judges before them.

The Duke of *Cumberland*:—With great humility, I appeal to the House whether the noble Earl did not so mistake the tendency of my noble and learned friend's Amendment, I am aware, through mistake—

Earl *Grey*:—No mistake at all; I never meant it nor said it.

Lord *Wynford* begged leave to ask the noble Earl whether he meant to say, that when a doubt arose as to the interpretation of any provision of a Bill, his own interpretation should be received as decisive?

Earl *Grey* undoubtedly maintained, if

the interpretation of Ministers, acting on the part of the public, were not received, that the bargain founded on the subject-matter of the interpretation should be off and at an end.

The Committee divided on the Amendment: Ayes 11; Noes 29—Majority 18.

The Clause was agreed to, as were all the others.

The House resumed; the Report to be received.

The Foreign Enlistment Act.] Lord Western moved the Order of the Day for the second reading of the Foreign Enlistment Act Repeal Bill.

The Earl of *Rosslyn* expressed a hope that, considering the advanced period of the Session at which the Bill had come before the House, the pressure of other business, and the discussion which the measure would necessarily excite, the Bill would be postponed till next Session.

Earl *Grey* was friendly to the principle of the Bill, and was prepared to give it his assent; but, adverting to the circumstance that it had been introduced into the other House after a very short notice, and was sent up to their Lordships at the close of the Session, he certainly was inclined to concur in the request that it should be postponed. He hoped, however, that the Bill would be introduced again next Session, and, perhaps, it ought to be taken up by the Government; but whether that were the case or not, it should receive his cordial support.

The *Lord Chancellor* said, that the noble Baron (Western), who was acquainted with the history of the Foreign Enlistment Act, knew, that if there was one person more than another upon whom he could securely rely in supporting the proposition for its repeal, it was himself. When the Bill was introduced, he opposed it in all its stages, and nothing had since occurred to alter his opinion respecting it in the slightest degree. Nevertheless, he could not help feeling, that the objection with respect to the time at which the measure had come before Parliament was so strong, that it ought to prevail. If the Bill should be introduced in the next Session of Parliament, it should receive his support.

Lord *Western* said, that under the circumstances, he must, though reluctantly, consent to postpone the measure till next Session.

HOUSE OF COMMONS,

Friday, August 23, 1833.

Minutes.] Papers ordered. On the Motion of Mr. G. F. Young, the Quantities of Flax, and Hemp, and of Saltpetre, and Brimstone, Imported into Great Britain, from the beginning of 1826 to the beginning of the present year: also the Real and Official Value of British and Irish Linens Exported to Foreign Ports during the same period.—On the Motion of Mr. O'Reilly, Returns of the Charges made by the Petty Sessions Court of Dundalk, for Summonses, Warrants, and Bail-bonds, and the Amount received under each head during the last three years: also of all Fines Imposed by the Authority of the said Court during the same period.

Bills. Read a third time:—Civil List Charges; Turnpike Road Accounts; Juries (Ireland).

Petitions presented. By Mr. Clay, from St. Leonard's, Shoreditch, for the Abolition of the Metropolitan Police.—By Mr. Barnard, from Lewisham, Bromley, &c., for the Repeal of the Malt Duty.—By Mr. G. F. Young, from the Shipowners of Newcastle, against the Navigation Laws; from Tynemouth, in favour of the Factories' Regulation Bill.—By Colonel Evans, from Wakefield, for the Repeal of all Taxes on Knowledge; and for Inquiry into the Case of Joshua Hodson; and from two Parishes in Westminster, for a direct passage from Castle Street into Trafalgar Square.—By Mr. Ewing, from the Council and Assembly of Dominica, against the Slavery Abolition Bill.—By Mr. Buckingham, from Sheffield, against Impressment.—By Mr. Blamire, from Staveley, and fourteen other Places, in favour of the Tithes Stay of Suits Bill.—By Mr. M'Leod, from Cupar, for Excluding the Bishops from the Upper House.—By Mr. Hawes, from Kingston-upon-Thames, against the Impositions of their Corporation.—By the Solicitor General, from the Medical Practitioners of Armagh; and by Mr. Warburton, from the Royal College of Surgeons, Edinburgh, for an Inquiry into the State of the Medical Profession.—By Mr. Warburton, from Newcastle-upon-Tyne, for Vote by Ballot.—By Mr. Hughes, from Perth, for the Restoration of the Drawback on Spirits made from Malted Grain.—By Sir Samuel Whalley, from Inhabitants of Mary-le-bone, for an Inquiry into the Case of Hodson.—By Mr. Hutt, from Kingston-upon-Hull, against the Barton Ferry Bill; and from James Acland, a Prisoner for Libel, praying the Intercession of the House.

National Gallery.] Colonel *Evans* presented a petition from the householders of Castle-street, St. Martin's Westminster, complaining of the length of time the business of that part of the metropolis had been obstructed by the erection of the new buildings in the vicinity of Charing-cross, and praying that if a national gallery was built in Trafalgar-square, some communication might be left in a direct line between Castle-street and Charing-cross.

Mr. *Spring Rice* said, his noble friend (Lord Duncannon) had used his best endeavours to remedy the evil complained of by the petitioners. It had been intended to have given a passage even when the national gallery should be built. He assured the hon. Member, that every attention would be paid to the suggestions of the petitioners.

Mr. *Hill* took that opportunity to ask if it was the intention of his Majesty's Ministers to afford any additional privileges to the

Royal Academy, or grant them any new rooms for their accommodation in the National Gallery? He thought nothing could be more injurious than an extension of the privileges they at present enjoyed, as they exerted them very unfairly towards their brother artists.

Mr. *Spring Rice* said, that no new privileges were intended to be given to the Royal Academy. It was only intended to give them, not as a gift, but in a way of occupation, as they had at Somerset-house, the use of some rooms in the gallery, in order that the Government might concentrate all their offices in Somerset-house which would be the means of greatly increasing the convenience and lessening the public expense.

Mr. *Todd* said, it was to be regretted that the discussion on that subject had not taken place while the noble Lord at the head of the Woods and Forests was in his place. He must complain much of the manner the Bill on this subject had been smuggled through the House, and also as a parishioner of St. Martin's, of the delay which had taken place in the erection of the public buildings in Trafalgar-square. He likewise expressed his regret, that the public had not been admitted to the interior of Regent's-Park, and wished to know the reason of their exclusion from such a healthful spot.

Mr. *Spring Rice* declared, that Government had carried no Bills through the House in the morning that were not known to be unopposed. The one more particularly referred to by the hon. Member had proceeded as far as the third reading, without any kind of opposition. The delay, therefore, complained of in the erection of the National Gallery could not fairly be attributed to the Government. The vote of 10,000*l.* had been pressed upon the Government by the House, which being found insufficient, they had been compelled to delay the erection of the building. He was unable exactly to inform the hon. Member when the Regent's-Park would be opened to the public.

Lord *Ormelie* expressed his disapprobation of the exclusive right given to the Royal Academy, and thought that, unless it was fairly open to the whole body of artists, it could not be called a National Gallery.

Mr. *Warburton* regretted that Whitehall Chapel had not been made use of for the purpose of a National Gallery. It would effect a direct saving of 80,000*l.* a-year. He defended the Royal Academy, and was of opinion that there ought to be some board to decide what pictures should be hung up.

Mr. *Cobbett* objected to the whole population of the country being taxed to pay for the erection of metropolitan buildings. It was a subject that ought to be more closely watched by the county Members.

Petition laid on the Table.

HOUSE OF LORDS,

Saturday, August 24, 1833.

MINUTES.] Bills. Read a second time:—Church Building; Merchant Seamen's Wages; Civil List Charges.—Read a third time:—Metropolitan Police; Buckingham Palace.

HOUSE OF COMMONS,

Saturday, August 24, 1833.

MINUTES.] Papers ordered. On the Motion of Colonel EVANS, the Amount of Taxes levied by the Churchwardens and Overseers of the Parish of St. Martin's-in-the-Fields for the past year.

Bills. Read a third time:—Consolidated Fund; Appropriation; Infirmaries (Ireland).

Petitions presented. By Mr. BLAMIRE and Mr. COBBETT, from two Places, in favour of the Tithes Stay of Suits Bill.—By Mr. LYNCH, from Galway, for Engineers to Survey the Roads in that Country with a view to repairing them.—By Sir ROBERT INGLIS, from Parish Clerks in Ireland, against Abolishing Vestry Cess.

TITHES—STAY OF SUITS.] Mr. Blamire moved that Tithes (Stay of Suits Bill) be read a third time.

Sir *Robert Inglis* said, he should now, at this last stage of the Bill, declare his opposition to it. He was opposed to it upon principle, looking on it, as he did, to be an interference with the rights of a large class of men, who, in his opinion, had been most unfairly treated. There was scarcely any attack which had not been made on them; yet, in no one instance, had they exceeded the limit of the law. The rights they were now attempting to enforce, more for their successors than for themselves, were secured to them by law, and by the law they had to act. The Bill of last year was a compact between the rights of the tithe-owners, lay and clerical (for he must again repeat, that this was not a question with the Church alone), and the public. The tithe-owners were warned by that Bill, that if they did not take care of their interests within a given time, they would for ever be foreclosed. Upon that warning, they had acted, and now they had done so, the hon. member for East Cumberland asked the Legislature to interfere to violate the compact that had been made, and take away the rights which the Bill of last year had, not given, but not taken away, till the end of a limited period. The general principles of the law were in favour of the opposition he now offered this Bill. The Legislature had already interposed, as he thought improperly, to put down tithes in Ireland, and he looked on this Bill as an attempt to assist in producing the same result in this country. He was therefore opposed to it, and should take the sense of the House upon the Bill. He moved that it be read a third time this day three months.

The *Solicitor General* said, that after bestowing the greatest deliberation on this subject he had come to the determination to give the Bill his support, from a conviction that such was his duty. It had been said, that this Bill was contrary to the general principles of legislation; he admitted it; but then his answer was, that there might be extraordinary emergencies in which it would be the duty of Parliament to depart from common rules. It was said, that the Legislature had saved to the tithe-owners this one year, within which they might bring their suits, or they would be foreclosed for ever. He was sure, that, if these consequences could have been foreseen, Parliament would not have allowed this year of grace, or rather of vexation. From the information communicated to him by his hon. friend, the member for East Cumberland, he was authorized in saying, that 9,000 suits had been instituted for tithes in cases where there had been a modus. What was the consequence of that, in the way of expense alone? Taking these suits to cost 200*l.* each, there would be an expenditure approaching to 2,000,000*l.* But, independently of the expense, what vexation was thus inflicted upon the occupier of land who had bought the property, or taken it on lease, subject to a modus? These suits were injurious to the families of the clergy themselves, in the money that must be taken from their pockets in the way of costs. Besides this, they gave rise among the people to a feeling, that injustice was attempted to be committed towards them; and the consequence was, a loss of that spiritual influence which the clergy ought always to possess. It might be true, that these proceedings were according to law; but it did not, therefore, necessarily follow that they were right and just. Empson and Dudley had the law on their side when they tried to force obsolete claims; but they were hanged; and, as far as he had ever heard, they obtained no sympathy from their fellow-men when they suffered. He agreed with those who said, that tithes were a property, not an impost, and that when the tithe-owner bought the right to tithes, he obtained as good a title to property as the owner of the soil; but still that property ought to be placed under the same regulations as other property. The law before Lord Tenterden's Act was bad and unjust; for the modus, though it might have existed for centuries, unless it could be proved to have existed before the time of legal memory—in other words, before the return of Richard 1st from the Holy Land—might be set aside. There were two exceptions to this—first, where the land had belonged to a religious house; and, secondly, where there had been a composition real. But, with regard to these exceptions, the Courts had departed from the usual principles of law, for they would not allow the exception to be established without the production of deeds; and as no such deeds could be produced since the 13th of Elizabeth, the composition real was generally set aside. It was the great number of these suits that rendered the thing mischievous, and called for the interposition of the Legislature. One or two suits, however unjust, would not have warranted the interference of Parliament. It was hard, that those who desired to correct the abuses of the Church should be pointed out as its enemies. The late Lord Tenterden was not an enemy of the Church—he was one of its most sincere defenders; and yet he had consented to the Bill of last year, limiting the right to a particular mode of payment to sixty years—had introduced it into the House of Lords—and it was against his opinion, that the clause which had given rise to these actions had been inserted. The only object in view now was to suspend these actions till Parliament in its wisdom should see what could be done in this matter. In his opinion, those were the worst enemies of the Church who refused to concede any correction of its abuses. He was not among that number, and he should support the Bill.

Mr. *Tooke* thought there were objections to the wording of the Act. In his opinion it would go further than was intended by the hon. Member.

Mr. *Sinclair* thought this a bill for the protection of the Church, and not for its injury. He should support the Bill.

Mr. *Lynch* was opposed to the principle of interference which this Bill recognized, except in cases of extreme necessity. He could not, however, shut his eyes to the extreme inconvenience of the present proceedings, and should, therefore, give his consent to the Bill. They did not destroy, but only suspended the rights of the tithe-owners, and he did not think that they would suffer much hardship from the Bill.

Mr. *Aglionby* hoped, that the House would adopt this measure, though it was not, perhaps, framed in the best possible manner. He admitted the objections to this mode of legislation, and said, that nothing could justify this Bill but the interests of the community at large. He believed, that the Bill was necessary, and that there could be no gentler mode of carrying its object into effect than to suspend the actions for tithes.

Mr. *Cobbett* said, he had several petitions in favour of the measure. The feeling excited against the clergy by these actions was considerable. The Bill would be rather a benefit than an injury to them; and as for the principle of the legislation, that was justified by the precedent of 1800, in which the Legislature had interfered to save them from the consequences of numerous actions for non-residence.

Amendment negatived. Bill read a third time and passed.

East India Charter.] On the question, that the amendments made by the Lords in the East-India Bill be then read a second time,

Mr. *Cutlar Fergusson* expressed his full approbation of the changes effected in that measure by the other House of Parliament.

Sir *Robert Inglis* likewise approved of those Amendments, especially that which had reference to British Courts of Justice to be established in China. He censured in strong terms the proposed imposition of tonnage—a tax that had not been enforced for more than 200 years, and which, when last attempted, had been resisted to the death. The hon. Baronet then went through the several amendments, and expressed his concurrence in all. The Bill as it passed the House of Commons gave an unrestricted power to his Majesty's Ministers, and the advantageous alterations which had been effected in it restraining that power had been made by the unreformed House of Lords.

Mr. *Crawford* wished to inquire from the noble Lord near him, whether it was proposed that the superintendents under the Bill should interfere with the opium trade carried on in Canton?

Lord *Althorp* said, that certainly there was no intention of interfering with any trade excepting that which was carried on by British subjects.

Mr. *George F. Young* observed, that since there had been one reduction of duty from 20*s.* to 10*s.*, it might not be unreasonable to expect that the tonnage would be reduced from 5*s.* to 2*s.* 6*d.*; and he should propose an Amendment to that effect.

Mr. *Macaulay* was, he confessed, surprised to find that the hon. member for Oxford should consider that tonnage had been out of use for centuries, when it was a matter of notoriety, that at all times tonnage had been, and was at present, levied in all our Crown colonies.

Lord *Althorp* could not agree to the proposed change from 5*s.* to 2*s.* 6*d.* To make such an alteration was not then necessary, for if hereafter the payment was found too much, it would be remonstrated against, and doubtless there would be no difficulty interposed in the way of reduction, if circumstances should then prove not unfavorable; at present, however, he could not agree to the proposed reduction; for the expenses of the consular establishments, to which the proceeds of that revenue were to be applied, were still considerable.

Mr. *Charles Grant* said, it was a mistake to suppose that the Lords had made any change abolishing the British Courts proposed to be created under the Bill as sent up from the Commons. The Lords' Amendment merely went to remove the generality of the terms in which the enactment respecting these Courts was couched. The Bill as it now stood, instead of abolishing those Courts, limited them to Canton.

Mr. *Warburton* said, he fully concurred with the hon. member for London, that there should be no interference with the opium trade.

Amendments agreed to.

Foreign Policy.] Colonel *Evans*, adverting to the foreign policy of the present Administration must say, that he felt considerable confidence in the manner in which they were conducting the intercourse of this country with the European powers; but before Parliament separated for the recess, he wished to call the attention of the House to one or two topics. He hoped, that the noble Lord would give them some expectation favourable to the cause of

Poland. It was with infinite satisfaction that he found himself in a situation to congratulate the House upon the fact, that Belgium now enjoyed a national government; and he hoped that before long he should be able to congratulate the country on the recognition by England of the Queen of Portugal. Having said thus much, he hoped he might be allowed to observe, that as Russia had prevented France and England from interfering in the concerns of Portugal, so he hoped France and England would prevent Russia from overpowering Turkey. He desired to know whether the troops sent by Russia to Constantinople were sent with the consent of France and England, or against that consent? Further, he desired to know if it were not the fact, that a treaty had been agreed to between Russia and the Sultan himself, without the concurrence of any Minister, and without the knowledge of any diplomatic agents at the Porte? Surely, if that were so, he should say, that strong measures ought to be taken to prevent a recurrence of such a proceeding.

Mr. *Cutlar Fergusson* hoped, that Donna Maria would speedily be recognized by England. The declaration made by the noble Lord on a former day with respect to Poland, had given the greatest satisfaction; and he hoped, that by Europe at large, the cause of Poland would not be considered as having been by any means decided, but rather as remaining in abeyance. He had but to add, if Russia and Turkey had concluded a treaty offensive and defensive, so should France and England.

Sir *Robert Inglis* observed, that it was not his intention to follow the observations of the hon. Members who had just addressed the House, but to inquire whether there really had been concluded a treaty offensive and defensive between Russia and Turkey? He must confess, that he had no other knowledge of any such important transaction than what he derived—not through the Government—but from the perusal of the intelligent correspondence that appeared in the *Morning Herald*. According to the important information communicated in that able correspondence, the treaty precluded Turkey from entering into any new treaties with other powers, except with the concurrence of Russia. He hoped, that the noble Lord and the Government did not allow themselves and the House to rely for information on the ordinary resources of a newspaper; and that therefore his Lordship was prepared to give some explicit information on the subject, other than that derived from the Journal to which he had alluded. He was willing to admit, that it was irregular to apply for this information; but he trusted that if the noble Lord could not now give the information required, he would be prepared before the prorogation of Parliament to lay before the House, not merely the treaties that had been made, but all communications connected with the formation of those treaties between Turkey and Russia. The interests of England and of all Europe had long been bound up with the independence of Turkey. He trusted the noble Lord would have no objection to state whether the reports which had been circulated, and which were so injurious to the cause of England, were or were not true?

Viscount *Palmerston* assured the House, and the hon. and gallant member for Westminster, that he felt it at all times a duty and a pleasure to give them every information connected with his department that he could afford, consistently with the duty he owed the public. He did not mean to follow either the hon. and gallant Member, or the hon. and learned Member (Mr. Cutlar Fergusson), through all the topics they had thought fit to advert to, because he considered that in doing so they were rather expressing their own opinions than putting questions to him which he was bound to answer. He thought it right, however, to correct one mistake into which the hon. and gallant Member had fallen with respect to Portugal. The hon. and gallant Member had stated, that Russia had prevented England and France from interfering with Portugal, and that, as Russia had done so, both this country and France should have entered into an alliance to prevent Russia from meddling with the affairs of Turkey. The hon. and gallant Member was very much mistaken if he thought that they had been influenced by Russia in respect to the conduct they had pursued towards Portugal. The line of conduct the British Government had pursued was that which they deemed consistent with the honour of the country, and consistent with that public policy they had uniformly adopted. He repeated, that in their conduct towards Portugal, they had not been influenced by what might be the opinions of Russia, nor by what might be the opinions of any other government of Europe. So much he said for the Government of this country, and he thought that he might go equally as far with respect to the government of France, and say, that she acted according to her own considerations, and was not, any more than this country, influenced, in the line of policy she pursued, by the advice of any other nation. Now, with regard to the affairs of the East, it was perfectly true, that his Majesty's Government had been informed, that a treaty had been recently signed between Russia and the Porte; but as that treaty was not officially signed, and as he was not in possession of it, the House could not expect of him to give any information as to what that treaty contained. With respect to the information said to be received by means of the public journals, it could be no blame to Government if, by the activity of their agents, they were sometimes beforehand with the Government. The hon. and gallant Member asked another and a double question—namely, whether the entrance of the Russian troops into Turkey was with the consent of England and France, or, whether both or either of those Powers, had on their part protested against the entrance of those troops. It was not necessary for the English Government to protest against the entrance of those troops, because it had received the most positive assurances from Russia, that when they had accomplished the purposes for which they were sent, they would retire. He had now, he believed, touched upon all the points on which the three hon. Members had questioned him. He was not in a condition to give any positive information as to the conduct the British Government might think proper to pursue with respect to the treaty alluded to. When they were sure that such a treaty really did exist, and when they were in possession of that treaty, it would be then for them to determine what was the course of policy they ought to pursue.

Mr. *Cutlar Fergusson* reminded the noble Lord, that there was one question he had left unanswered—namely, whether the Porte, previously to having asked for assistance from Russia, had made a similar demand from the government of this country.

Viscount *Palmerston* said, it was true that such a demand had been made in the course of last August by the Porte, before it had applied to Russia for assistance. The application that had been made to the country on the part of the Porte was for maritime assistance, and his Majesty's Government, from the nature of circumstances had not thought fit to grant the application.

The conversation dropped.

HOUSE OF LORDS,

Monday, August 26, 1833.

MINUTES.] Papers ordered. On the Motion of Lord AUCKLAND, a Copy of a Despatch, dated 9th April, 1832, by the Earl of BELMORE, Governor of Jamaica, to Viscount GODERICH.—On the Motion of the Duke of RICHMOND, the Number of Ship-Letter Bags despatched from the General Post Office, &c.

Bills. Read a second time:—Consolidated Fund.—Read a third time:—Court of Exchequer; Bank Notes; Stamp Duties; Land Tax Commissioners; Chancery Offices; Inheritance; Dower; Roman Catholic Marriages (Ireland); Factories' Regulations; Tea Duties.

Petitions presented. By Lord WESTERN, from several Places, in favour of the Tithes Stay of Suits Bill.

RENEWAL OF THE BANK CHARTER.] Lord Auckland moved the Third Reading of the Bank Charter Bill.

The Duke of *Wellington* objected to the legal-tender clause. He expressed his opinion, that it would have the effect of improperly increasing the amount of country bank notes in circulation. He did not understand why the country banks had required such a boon at the hands of the Bank of England. He thought, that the result of this measure would be to establish an agio that would be anything but beneficial to this country. He thought that the words "ten pounds" should be inserted instead of "five pounds" in the clause.

The Earl of *Ripon* did not apprehend the danger from the establishment of an agio which seemed to alarm the noble Duke. This clause had not been asked for as a boon, nor was it given with that intent. It was thought, that it would be for the advantage of country banks, and likewise for the accommodation of the Bank of England itself. If he (the Earl of Ripon) could think, that it would unduly increase the amount of paper in circulation, he should be opposed to it. He said unduly increase, because if the amount in circulation was not increased in such a manner as to bring down the exchanges, the fuller it was, the better. Up to the point of affecting the exchanges, a large circulation was more convenient than a small one, but it must not go beyond that point. He, therefore, thought it better to retain the sum of 5*l.* than to insert 10*l.*, as proposed by the noble Duke.

The Duke of *Wellington* believed, that as the clause now stood it would have the effect of reducing the exchanges, and he should, therefore, put his opinion on record by moving that 10*l.* be inserted for 5*l.*

The Amendment negatived, and the Bill read a third time and passed.

Against the third reading of this Bill, the following Protest was entered.

DISSENTIENT,

1st. Because no subject who is in possession of a valuable privilege ought to be deprived of it, except by the judgment of a Court of Justice, after a patient hearing of his case, and by an impartial decision upon it, uninfluenced by party or popular feeling. The taking from any one a right or privilege by a declaratory law, supported only by an opinion of the Law Officers of the Crown (which opinion has never been laid before this House), and without the authority of the sanction of the Judges, is an arbitrary and oppressive proceeding, and contrary to the uniform practice of Parliament.

2. Because the clause which it was proposed to substitute for the declaratory clause contained in this Bill would have afforded all the protection to the public which they have ever had, and have prevented the Bank from enjoying any exclusive privilege which it does not at present legally possess. The clause in the Bill takes from the Bank a privilege it has always enjoyed, and which privilege, with a full knowledge of all the circumstances of the case, it was agreed by the promoters of the Bill, and the Governor and Directors to continue to the Bank. The altering of this bargain exposes the proceedings of the Legislature to the imputation of a breach of faith.

3. Because, although the preamble of the declaratory clause itself expressly states, that it is the intention of the Legislature that the Governor and Company of the Bank of England shall continue to hold and enjoy all the exclusive privileges of banking given them by any Act of Parliament, and although by the letter and spirit of all the statutes relating to that Corporation, the exclusive privilege of banking, which includes the receiving of deposits as well as the issuing of bills or notes, is secured to the Governor and Company, so that no Corporation or Company consisting of more than six partners can carry on a bank of deposit or issue in London, or within sixty-five miles thereof, this clause, under the pretence of removing doubts as to the construction of these Acts, enables Corporations and Companies composed of an unlimited number of partners to open banks of deposit in any part of England. It has been repeatedly judicially declared by the late Lord KENYON, Mr. Justice GROSE, and other eminent Judges, that, if doubts arise as to the true construction of an Act of Parliament, such doubts may be removed by contemporaneous usage. There has been an uniform usage in favour of this exclusive privilege from the passing of the first statute relating to the Bank down to the present time.

4th. Because, by giving a right to open banks of deposit to Corporations and Companies with an unlimited number of partners, a spirit of speculation will be encouraged, which will endanger our commercial interests. If banks possessing the immense capitals which the proposed new banks will possess, succeed, they will destroy the long-established and highly beneficial system of banking now existing in the metropolis. If they fail, their failure will ruin many unwary persons who may become partners, or who may have dealings with them. The great capital which they will hold will enable them to embarrass the Bank of England in the discharge of its most important duties. The banks which this Bill directly sanctions must produce injury to great numbers of individuals, and must endanger the public interest; and on these accounts it was not long since declared by the highest legal authority in this House, with reference to the statute of the 6th of Geo. 1st c. 18, that the establishment of such companies was contrary to the common law.

5th. Because the provision which makes the promissory notes of the Bank of England a legal tender in all cases except when they shall be presented for payment at the Bank, or one of its branches, has a tendency to introduce, without any alleged necessity, and in time of profound peace, the dangerous principle of a compulsory paper currency.

WYNFORD
BEXLEY
CARRINGTON (for the 1st, 2nd, 3rd, and 4th reasons)
ERNEST.

WARWICK ELECTION—EXPLANATION.] The Earl of *Warwick* wished to take that opportunity of making some observations upon the charges which had been brought against him. He regretted, that circumstances would delay a full investigation into this matter, as it was his wish to meet these charges as soon as possible. He had received a letter from the noble Lord opposite on the subject of these charges, and he had at once returned to this country. He most positively denied the truth of these charges. He was perfectly ignorant of having been guilty of any illegal or improper conduct on the subject. He denied altogether that he had interfered with the election. He declared most positively, that he believed there was no Peer of the realm who had personally interfered in elections less than he had. He knew no more of this matter than any of their Lordships. He denied having furnished money improperly, for the purposes of the election. He understood that there were expenses justified by law, such as those relating to the registration and the scrutiny attendant upon it; and with regard to them he had stated, that as far as it was proper, he should be happy to assist his relative, but he had done nothing more. He had not interfered during the election, and he had not gone down after the election, but had, at some inconvenience to himself, remained away because he would not do anything which might appear to be likely to create excitement. Yet, notwithstanding all these things, attacks had been made on him in the newspapers, and not only in the newspapers here, but in foreign journals. He noticed these attacks thus publicly, because they had been publicly made. He had been charged with personal interference in the election, and he came before their Lordships to meet these charges. He was sorry that they could not now be examined into, for as to himself he was perfectly ready to meet them. He should say no more than to express his obligations to the noble Lord opposite for writing to him and enabling him to come over at once, and declare that the attacks which had been made on him were unfounded.

TITHES—STAY OF SUITS.] Lord Western presented Petitions from Cumberland and Yorkshire, in favour of this Bill.

The Bishop of *London* availed himself of the opportunity offered by the presentation of these petitions to say a few words on the subject of this Bill. This was a Bill avowedly intended to stay certain tithe suits till the next Session of Parliament, but which, besides, contained a direct censure on all the clerical owners of tithes in the kingdom. If it should pass into a law, it would put most of them to considerable expense, and the claims of some it might defeat altogether. With respect to the principle of the Bill, he must say, that, in his opinion, a more unjust measure had never been sent up to their Lordships from the other House of Parliament, and he could not but feel some surprise at the commendations it had received from one of the Law Officers of the Crown. It had been stated that Lord Tenterden had been compelled to introduce into his Bill the clause under which the actions now attempted to be stayed had been brought. That was not the case. He could assert, from his own personal knowledge, that a longer term than three years having been mentioned, Lord Tenterden said, that he was willing to grant the clergy a longer term, but that he did not think the House of Commons would assent to it. He had in his hand the statement made by the noble and learned Lord on referring to the clause in question. The noble and learned Lord said—"The first proviso in that Bill was, that it should not affect the right of the clergy to institute suits for the space of three years under the provisions of the old law. He doubted not but that that period would be found satisfactory, except in some cases, perhaps, of tithes belonging to the clergy. He did not think that the door ought at once to be closed upon claims of this sort, or great injustice might be done." These were the sentiments of Lord Tenterden. The noble and learned Lord who now occupied the Woolsack had said on the same occasion, that—"It was fitting that clerical incumbents should have ample notice and time given them to claim what they considered justly their due." The Bishops and others in that House had asked for longer time, but their request was refused, and they acquiesced in the refusal. That having been done, it was too much now to introduce this Bill to deprive the owners of tithes of those means of enforcing their rights which, after so much consideration, had been accorded them. He wished now to make a few observations with regard to the particular case on which this Bill was specially founded. They related chiefly to a body to whom he was deeply indebted, for whom he felt the most lasting gratitude, and on whose behalf it was his duty to stand up in that House. The greatest number of suits in Kendal were said to have been brought by that body—he meant the Master and Fellows of Trinity College, Cambridge. He mentioned these cases in order to call the attention of their Lordships to circumstances which showed most strongly the injustice of this Bill. The rectory of Kendal had been granted by Queen Elizabeth to Trinity College, and that body had been in the habit of granting leases of the tithes to some of the neighbouring landholders. These various leases had recently been united in the hands of one person. Great confusion had occurred in settling the claims of the various parties interested in so large a parish. Some years ago the College filed a bill against a few of the parishioners for the purpose of ascertaining what were the claims of exemption existing in the parish. The cause came on for hearing before the Vice-Chancellor, who made a decree in favour of the College. An appeal was brought against that decree, and the cause was carried before the Lord Chancellor. It did not come on for hearing till after the present noble and learned Lord had taken his seat upon the Woolsack and his Lordship had only varied the decree in some slight manner, and directed certain issues of fact to be tried before a Jury. All these proceedings took place before Lord Tenterden's Bill was introduced. The cause came on at the last Spring Assizes, and the Jury found the issues in favour of the College. The solicitor for the College had proposed to the inhabitants, that there should be an arrangement entered into by which all parties should bind themselves to abide the event of the suits then pending. No answer was at first given, but, after the verdict on the issues had been returned in favour of the College, there was a meeting of the parishioners, and they came to a determination not to bind themselves to abide by the result of the suits then pending. Looking at this Bill, and supposing that the judgment of the Lord Chancellor upon the issues should be the same as it had been before, what would be the situation of the College? The solicitor had, by virtue of this clause in Lord Tenterden's Bill, been compelled to issue subpœnas against those who were not parties to the original suits, and who would not enter into the agreement proposed by him. Then came this Bill, sanctioned by the Law Officer of the Crown. The defendants, in the original suits, would have to pay their tithes in kind, but the greater portion of the parish would be enabled to retain their tithes, which properly belonged to Trinity College, unless that House would allow all tithe owners to vindicate their rights according to the law as it now stood. He thought this was a complete justification of the conduct of the College in this matter, and he trusted that their Lordships would not sanction a Bill which went, as this did, to work a heavy injustice on parties who had been guilty of no offence but that of attempting to enforce their rights according to law.

The Petition laid on the Table.

Lord *Western* rose to move that the Bill to which the right reverend Prelate had objected should be read a second time. He was convinced that it would be useful in putting an end to the litigation which had commenced between the clergy and their parishioners, and in suspending the progress of that excitement against the Church, which, if continued, must be pregnant with danger not only to the interests of the Church, but also to the interests of religion itself. He understood that suits had been instituted already against 9,000 persons, and to put a stop to their further progress, this Bill ought to receive their Lordships approbation.

Lord *Wynford* said, that there was a wide difference between this Bill and Lord Tenterden's Bill, of which it professed to be an improvement. That Bill was a Bill for the regulation of a certain species of property; this Bill was a Bill which singled out one species of property, and prevented the owners of it from exercising that control over it, which they could exercise over every other species of property to which they were entitled. The objections to passing this Bill were much stronger than he had imagined them to be when it was first submitted to his consideration, for if so many suits were commenced as his noble friend alleged there was a chance that the plaintiffs in many of them would die before the suspension of these suits terminated. The suits would then abate, and to recover the tithes due, the suits would have to be commenced *de novo* by their heirs or executors, who, in all probability, would know nothing at all about the matter. Considering that there were upwards of 10,000 benefices in England, he really thought it strange that the number of suits commenced was not greater than the number stated by the right reverend Prelate (the Bishop of London). He contended that their Lordships had no right to single out individuals of a certain class, and to say to them, "The suits which you have instituted for the recovery of what you consider your just rights you shall not be permitted to proceed further with." As an argument for passing this measure, their Lordships had been told, that it had been carried through the other House of Parliament by a large majority. Whether it had been so carried or not, was not the point to which their Lordships ought to attend, but to the intrinsic merits of the Bill itself. Admitting, that the majority in its favour was so large as had been represented, how did it happen that that large majority had not brought in a Bill of this importance at an earlier period of the Session, when their Lordships might have had time to consider it in all its details? As it was framed at present, it appeared to him to be inefficient for the object which it was intended to accomplish; but, independently of that objection, it appeared to him to inflict upon the clergy various hardships from which it was the duty of the Legislature to protect them. For instance, some of them had gone to all the expense of getting their causes ready for trial, and now they were informed that the decisions on those causes were to be indefinitely postponed. He felt himself bound, out of gratitude to the clergy for the benefits which they had conferred upon the country, to protect their interests to the utmost of his ability, and with that view, he should now move that this Bill be read a second time this day six months.

The *Lord Chancellor* admitted that this was an extraordinary Bill, and liable to many of the objections which had been urged against it by the noble and learned Lord, and more particularly to the objection which had been taken to it by the right reverend Prelate. It was impossible, on the other hand, to deny, if the accounts were not strangely exaggerated, that there had been a great amount of Bills filed (or of proceedings taken preliminary to the filing of Bills), and a great number of suits commenced, to escape the operation of Lord Tenterden's Act. By that Act a year had been given for the commencement of proceedings in these tithe cases; but suppose that, in every case of modus, throughout the kingdom, proceedings had been instituted, not to set aside the modus but to save the time mentioned in Lord Tenterden's Act, and to give the parties the option of continuing those proceedings at a future period, if they thought it advisable; it was clear, that in that case, Lord Tenterden's Act would become inoperative, and that its object would be altogether defeated. Now, that would be a grievous injury both to the Church and to the State—for the Bill was intended to be a Bill of quiet to the State, and a Bill of goodwill and security to the Church; whereas, if it were to be converted to the purposes to which some persons imagined that it was converted, it would be neither the one nor the other. He was far from saying that it was easy to see the way through the difficulties of this question, supposing that their Lordships acted with a strict regard to justice. It appeared to him, that the House was comparatively in a state of ignorance as to the circumstances which were urged as the reason for passing this measure. If the number of suits did not amount to more than the number stated by the right reverend Prelate, then he should say, that there were no grounds for passing this Bill; but if the number extended to the enormous amount mentioned by his noble friend, then he should say some legislative measure must be resorted to. But would there be any great mischief in allowing the matter to stand as it was at present? Having brought in the Bill, would any harm result from postponing any further proceeding with respect to it until the next Session of Parliament? Those who were apprehensive that in the five or six intervening months the suits in question might be brought to a close, knew very little of the nature of our laws, or of the cumbrous proceedings which must be necessary. Nothing could be done before Michaelmas Term (the 2nd of November,) and between that and the probable opening of the next Session, very slender progress could be made in any suit; so that, although he by no means regretted that the subject had attracted the attention of Parliament, he thought it might perhaps be as well to wait, in order to see whether any legislative interference was advisable; and, if advisable, what course it would be most expedient to pursue.

The Bishop of *London* observed, that the number of clergymen who had instituted suits was not as great as the number of suits instituted; for a large proportion of the suits had been brought by lay-impropriators. He did not believe, that the number of suits brought by clergymen was a tenth of what had been represented.

Lord Wynford's Amendment agreed to.

The Bill postponed.

TITHE ARREARS (IRELAND).] Viscount *Melbourne* moved the Order of the Day for their Lordships to go into a Committee on the Tithe Arrears (Ireland) Bill. Their Lordships had heard so much about Irish tithes in the course of the present Session, that he would not trouble them with many observations on the present occasion. He must, however, advert to a declaration of the noble Duke opposite, in which he had stated that the resistance to the payment of tithes in Ireland was the result of an organized conspiracy. Now, whether it was the result of an organized correspondence among the different classes of society in Ireland—which he should call a conspiracy—or whether it was the simultaneous result of the spontaneous feelings of the people in that country, he was not prepared to say. In either case the result was the same, though the criminality might be different. It became also the more dangerous on account of the minute subdivision of property in Ireland, which led to a multiplicity of claims for small sums due to the clergy in the first instance, and, where those claims were refused payment, to a multiplicity of suits to recover them in the second. It was in consequence of this subdivision of property, and of the difficulty of recovering the small sums which were due to the clergy for tithes, that the former measure of Government for the collection of tithes had failed. He had heard it stated that the measure had not failed, but that it was on the very point of succeeding, when Government ordered the operation of it to be stopped. He did not believe such to be the case; but even if it were, it would not alter the circumstances in which the clergy of the Established Church of Ireland were now placed, though it might afford ground of inculpation against the Government. It was to remedy those circumstances—it was to relieve the clergy of the Established Church of Ireland from the distress in which so many of them were now plunged, that he moved their Lordships to consent to the committal of this Bill. He would not delay them with any general remarks on the nature of tithes, but would proceed to describe to them the objects and details of this Bill as succinctly as the nature of it would allow. The noble Viscount proceeded to describe the terms upon which 1,000,000*l.* sterling was to be granted to the Irish clergy for arrears of tithes, and the provisions by which the repayment of that sum was to be secured to this country, and concluded by stating, that this Bill had been acceded to by the Representatives of the landlords of Ireland, who thought it for their interest to take upon themselves this burthen.

The Duke of *Wellington* expressed his approbation of the measure. It was one of charity and benevolence, and so far as it proposed to relieve a very meritorious and distressed class of men, he would give it his support, but he thought many of the details were objectionable. He was opposed, for instance, to the condition on which the relief was granted. The Bill imposed upon the tithe-owner the condition of renouncing his property for 1829 and 1830, in order to obtain an advance of 75 per cent, on the same description of property for 1831, and 1832. Such a condition he thought their Lordships had no right to impose. With respect also to the clause which remitted 25 per cent, of the tithe to be collected for the years 1831 and 1832, this clause extended not only to the landlords, but to the occupiers of lands, and thus it would operate as a bonus for default in payment of tithes. He should not, however, at the present stage, move any Amendment.

Lord *Plunkett* said, it was proposed to insert a clause in the Bill, to prevent the 25 per cent clause from operating as a bounty on default, as the noble Duke anticipated, when such default took place, the allowance of 25 per cent would not be made.

The Earl of *Wicklow* had come down to the House with the intention of supporting the Bill, understanding that his so doing would not be inconsistent with the Motion which he had the honour of submitting to their Lordships, when the Resolutions on which this Bill was framed passed the other House of Parliament. As far as he understood the Bill, there was no security in it for repayment of the advance proposed to be made. His approbation was founded on this—that the sum to be given was to be considered as a grant, and that whatever shadow of security the Bill might profess to give, in reality it gave none. In considering it as a grant, however, he would not treat it either as a boon or a favour, but as a mere act of justice to the clerical and lay impropriators of tithes. The necessity which compelled the Government to adopt this measure was a just retribution; for he considered the course of policy pursued by the present Government as the sole cause of that necessity. Everybody knew that, from the passing of the Coercion Bill, there was a disposition on the part of the people of Ireland to return to the payment of tithes, and to a state of obedience to the law. This was not attributable to the Coercive powers of the Bill, but to the disposition of the people, of which disposition he could give the most incontestible proofs. But, at an unfortunate moment, a noble Lord highly connected with the Government, chose to put an extinguisher on the collection of tithes in that country. He knew why that noble Lord did so. It was because in the course of the debate on the Coercion Bill he pledged himself that it should not be applied to the collection of tithes in Ireland; and when, in consequence of the altered disposition of the people, after the passing of that Bill, tithes in Ireland became more easy of collection, the noble Lord seemed to fear, that by some misconstruction, he might be thought to have violated his pledge, and therefore he put a total stop to the collection of tithe arrears. The noble Earl then referred to a letter, written by Major Miller to a person who, having reason to apprehend violent resistance, had requested the assistance of the military and police in distraining for arrears of tithe, in which that gentleman stated he was prohibited by the Government from giving the aid either of the military or the police force. He (the Earl of Wicklow) wished to know what right the Government had to refuse the aid of the police? They were perhaps entitled to control the military; but the police were paid by the county, and their services ought to be available when required. He had already stated, that he should support the Bill as a grant, and as a grant alone; and believing it to be simply an act of retributive justice, and no favour to those whom it was intended to relieve. But, in thus consenting to pass this Bill into a law, he must observe, that it left entirely open the question as to what footing tithes should stand upon in future. Nor was there anything at all in this Bill to render it probable that a similar measure would not be required next Session. He had no doubt that similar distress would prevail — that similar resistance would take place—and that a similar necessity would occur. Indeed the whole proceeding was of a nature to encourage resistance, and to render it almost miraculous if the same system should not again be followed up. It might be said, that the time for compounding for tithes had been prolonged, but it should be remembered how few contracts had been entered into in consequence of that measure, and that under existing circumstances there was still less probability that such contracts would be made. At this late period of the Session, feeling as he did the necessity of some grant to the clergy, he should be exceedingly sorry to give any opposition to the Bill; he objected, however, to some of the details, and would bring forward his objections in Committee.

The Archbishop of *Dublin* intended to detain their Lordships but a very short time, though, as he was the sole Representative of the Irish Church present, they would excuse his troubling them with a few words. He should not enter into the particulars of the Bill, because that would be best done in Committee, and because when he was examined before a Committee of their Lordships' House, the substance of the present Bill had then been suggested by him. This, however, he would say, that from all he could collect from the clergy and friends of the Church in Ireland, he had reason to believe, that some measure of this kind would now prove much more satisfactory to them than when he first proposed it; that was, if injudicious means were not used, and intemperate expressions were not resorted to, for the purpose of keeping up the alarm which prevailed in Ireland on this subject. He had consulted with many of the clergy when he first proposed this measure, but they generally treated it as one pregnant with difficulties, and seemed inclined to think that things would come right of themselves. He contended, however, that some measure of the kind was then necessary, and that the difficulties of the question would increase by delay. He was the last person in the world to cast reproach on the clergy or indeed on any person belonging to any political party. But if he were inclined to enter into the controversy, he might say, that when he first suggested this measure it was not supported. He would not, however, enter into any unpleasant retrospects, but he wished to impress on their Lordships and on the public the necessity of making the best of existing circumstances, and of taking the best precautions for the future, and more especially of not exposing the Church to unnecessary danger by holding out such language as had formerly been held out, and which had created great excitement and alarm. He trusted also he might be permitted to remark on the impropriety of indulging in prophecies which, as had already been the case, but too frequently led to their own fulfilment. Those who had professed themselves to be the friends of the Church had strengthened the agitators by the intemperate expressions in which they had indulged. They had repeatedly asserted, that it was the intention of his Majesty's Government to put down the Protestant Establishment in Ireland. He could assure their Lordships that the various prophecies which had been indulged in had tended in the greatest possible degree to bring about their own fulfilment. He could mention to their Lordships, one case, which was but a type of many others. The parishioners of a clergyman whose parish was so distracted by these various reports, and by the declarations that the Protestant religion was put an end to by the Government, that they really knew not what was or what was not the law; and it was not till after an application to him, and an assurance from him that Government had no intention of the kind, that they consented to pay their tithes. This would illustrate to their Lordships the importance of conducting their discussions with calmness and temperance, and of avoiding those rash prophecies which were calculated only to create alarm and excitement, and, in the result, to work their own fulfilment.

Earl *Grey* had hoped, after the temperate speech of the noble Duke opposite, that there would have been no necessity for him to address their Lordships on this Bill. It was, however, impossible to pass over in silence what had fallen from the noble Earl. He agreed with the most reverend Prelate, that much mischief had arisen from the declaration of those who, doubtless, in the sincerity of their belief (though in that belief they did great injustice to his Majesty's Government), had represented his Majesty's Government as hostile to the Protestant Establishment. It had more than once fallen to his lot to disclaim any such hostility, and to state, that it was his most earnest wish and sincere endeavour to do every thing in his power to support its interests. If their Lordships looked candidly at the situation of his Majesty's Government, they must admit that it was one of considerable difficulty. The noble Earl had said that the difficulties of the Government were of their own making, but he would ask the noble Earl to point out any course that might have been pursued which would have been free from difficulty. The most reverend Prelate had said truly that those misrepresentations of the intentions of Government had tended materially to increase those difficulties. A new example of the danger to which the most reverend Prelate had alluded, was exhibited in the speech of the noble Earl, who alleged as his great inducement to support this Bill, that he considered it as a grant. It must have been known to the noble Earl, that it was not on this principle that the Bill was introduced into their Lordships' House. It must have been known to the noble Earl, that if it had been so introduced in another place, he believed that such an interpretation was put upon it by those with whom the noble Earl would not be well pleased to be considered as united in opinions—but to return, the noble Earl knew that if it had been so introduced in another place, it would never have reached their Lordships' House. He would tell the noble Earl what the principle of the Bill was. It was founded on the principle of relief to the Clergy. As the noble Duke had truly stated, it was founded on a charitable and benevolent intention, but in the full confidence that the people of England would not be called on to submit to a burthen which, under the circumstances, ought not to fall upon them. The noble Earl said, it was a just retribution, that a grant should be made to the Irish clergy, and that Englishmen should be called on to pay a sum which they never expected to be returned to them. But if the noble Earl looked to the provisions of the Bill, he would see that the return was provided for, though if the noble Earl thought proper to indulge in such language, it was not impossible that it might produce the effect which had been adverted to by the right reverend Prelate. What a justification would it not be for such conduct that it had been stated in Parliament, particularly in that House, that no such return was ever expected. He, therefore, felt it incumbent upon him to contradict the assertion of the effect of this measure, and to state most distinctly, that he thought full security was provided by this Bill for the repayment of the temporary relief which it afforded to the Clergy, and for securing the people of England from the imposition of a burthen which ought not in justice, to fall on them. The noble Earl had also stated, that after the passing of the Coercion Bill, there would have been no difficulty in collecting tithes, had not the Government put a stop to it. That certainly was not the case, for the Government, with all the power of military and police which it had at command, was able to collect but a very small proportion indeed of the arrears of tithe which were due to them. Certainly it was contemplated to afford relief to the Clergy by enabling them to collect their tithes, if upon experience it had been found that there were less objections to that proceeding than was actually the case. It was easy to say, that the tithes ought to have been levied, but he had shown that in practice, that was not the case. Scenes of outrage and violence had followed the attempt to collect tithes. That was particularly the case in Cork, and in other places, where the Magistrates had refused to act, and altogether a lamentable state of things was produced which nobody could say it was not the duty of the Government to put an end to. That was done from no desire to relax the authority of the law; and he could assure their Lordships, that the Government did not yield to the noble Earl opposite, or to any noble Lords in their desire and determination to support the authority of the law. The Government, however, felt called upon to see if other means of relief might not be afforded. Meeting the difficulties of the present case, and endeavouring to avoid such obstacles for the future, it was not for him to say that the Government had been successful in this endeavour, but he wished again to say that this was not a grant, which was not to be repaid, but a loan, otherwise it would throw a burthen on the people of England which they had no right to bear. He admitted that there were many difficulties in the matter; and if any amendments could be proposed calculated to make the measure more efficacious, as his noble friend had signified his intention to propose one, the noble Lord would find that the Government was ready to take them into its most favourable consideration. With reference to the measure of last year, which the noble Earl had alluded to, it was not yet sufficiently understood, nor were its advantages sufficiently appreciated. It certainly was intended that that measure should be accompanied by a measure for a commutation of tithes. That was recommended by the Committee; and their Lordships might rest assured that this object was not lost sight of. He hoped it might be accomplished in another Session; and then, to use a word which had been much misunderstood, but which the noble Earl knew was not the word of the Government—he did hope that at length tithes might be extinguished; not with any diminution of the rights of the Clergy, but by a commutation which would enable them to exercise those rights in a less obnoxious manner than at present, and avoid all the evils of the present system. Those evils were not of modern origin. Seventy years ago the Parliament of Ireland had passed a law to relieve the clergy, in consequence of the non-payment of tithes. Then there were scenes of violence and bloodshed, such as had lately been complained of; and certainly he had to regret that no measures had been taken since that period to put this matter on a footing more congenial to the feelings of the people. He would not enter into any present circumstances; he would only say that, after what had occurred of late years, it was not to be wondered at that the difficulties of the subject were now very great. He trusted, however, that they would now surmount some of those difficulties by agreeing to the present measure, laying a foundation of a better state of things, and avoiding the necessity for ever again having recourse to a similar measure. He acknowledged that there were objections to the measure, some of which might be obviated in Committee; and he trusted that their Lordships would then suffer the Bill to go into a Committee, when noble Lords would have an opportunity of offering any Amendment which would conduce to remove those objections.

Their Lordships resolved themselves into a Committee on the Bill.

The Clauses were agreed to, and the House resumed. Report to be received.

HOUSE OF LORDS,

Tuesday, August 27, 1833.

MINUTES.] Bills. Read a third time:—Merchant Seamen's Wages; Civil List Charges.

Petitions presented. By the Duke of RICHMOND, from Dundalk, for an Improvement of the Port of that Place and from Roscommon, for a Canal to the Shannon.

COURT OF CHANCERY REGULATION BILL.] The *Lord Chancellor* rose to move that the Amendments made by the House of Commons in this Bill be taken into consideration. The Commons had made several amendments to the Bill, to some of which he had no great objection; but there was one to which he owned that his objections were insuperable. A Committee of the other House, which appeared to have taken great pains with the subject, had recommended that some of the higher officers of the Court of Chancery should be paid wholly by fixed salaries, and not by fees. Hitherto the practice had been to pay them partly by fees and partly by salaries. For his own part, he approved of the principle of paying the greater part of their emoluments by salaries, and a small part by fees; for he thought that allowing a portion of the income of those officers, even though it should be only a small one, to be derived from fees, would be a benefit to the public, as it would be some sort of stimulus to them in expediting the business which had to pass through their hands, and the more so, as from the nature of their situations, those officers were removed from that vigilant control which the public had an opportunity of exercising in other instances. He thought, therefore, that the payment in part by fees of the masters and registrars of the court would be desirable, provided that the regulation of the amount of such were not under their control. The Bill, as it passed that House, was intended to have a provision to that effect; but the House of Commons took a different view of the subject, and enacted that the officers he had named should be paid by salaries altogether. He did not concur in the policy of that course for the reasons he had stated; but still he did not think the matter of such serious importance as to move their Lordships not to concur in it. But the Commons had made another Amendment, to which, with all deference to the intentions of those who concurred in it, he must say, that his objections were insuperable—he meant that Amendment by which it was enacted that the clerks to Registrars and masters in Chancery should be paid wholly by salaries, and not by fees. The salaries of the Registrars' Chief Clerks were 800*l.*; of the next, 600*l.*; and so on down to 300*l.* a-year. The salaries of the Chief Clerks to the masters were 1,000*l.* a-year. Now, it appeared to him that the plan of paying those officers wholly by fixed salaries, to the exclusion of any benefit from fees, was bad, as it took away one of the greatest stimulants to the due despatch of business. He did not mean to cast any imputation upon the very respectable persons who filled those offices; but he thought it but natural to assert, that business would in general be more expeditiously despatched by clerks in those offices where a certain fee was to be paid on its performance, than it would where a fixed sum was to be paid, which sum the parties were certain to receive, whether the business were well or ill done. He hoped he might be mistaken in this view of the matter, and that the working of the system under the Bill as it had been amended by the other House, might turn out differently from what he apprehended; but he feared it would have the effect of impeding the velocity of the public business through those Courts. It might work well at first; yet, in the long run, he believed it would be necessary to alter it. Though he had felt it necessary to make those remarks, it was not his intention to move that the Amendments of the Commons be rejected; but it was with the understanding that, if the working of the system should turn out to be as he anticipated, he should call the attention of Parliament to it early in the next Session, with the view to amend the Bill in this respect. Having said this, he would now move, that their Lordships do agree to the Amendments made by the House of Commons.

Amendments agreed to.

HOUSE OF LORDS,

Wednesday, August 28, 1833.

Minutes.] Paper ordered. On the Motion of the Lord Chancellor, the Number of Offices in the Court of Chancery, which have been Abolished during the years 1831, 1832, and 1833.

Bills. The Royal Consent was given by Commission to the following Bills:—Customs' Acts' Repeal; Customs' Management; Customs' Regulation: Smuggling; Navigation; Registry of Vessels; Customs' Duties; Warehousing; Customs' Bounties; British Possessions; Isle of Man Trade; Disembodied Militia; East-India Company's Charter; China Trade; Slavery Abolition; Slave Trade Conventions; Buckingham Palace Furniture; Stage Carriages Act Amendment; Spirits, Wine, and Beer Licenses (Ireland); Grand Juries (Ireland); Cholera Prevention; Juries (Ireland); Quakers' Affirmation; Separatists' Affirmation; Chancery Offices Regulation; Bankruptcy Judges; Commissioners of Lunacy; Uniformity of Process; Fines and Recoveries; Notaries Public; Bank Notes; Stamp Duties; Composition; Court of Chancery; Civil List Charges; Sugar Refining; Assizes Removal; Parish Apprenticeship; Metropolitan Police; Land-Tax Commissioners' Names; Merchant Seamen's Wages; Infirmaries (Ireland); Trial of Offences (Ireland); Land Revenue (Scotland); Burghs Magistrates (Scotland); Royal Burghs (Scotland); Turnpike Road Accounts; Lighting and Watching; Inclosure Acts Awards; London Scavage and Package; Thames Tunnel; Woolwich Lands.—Read a third time:—Tithes Arrear (Ireland); Consolidated Fund; Edinburgh Community; Estates; Church Building; Stamps Forgeries.

Petitions presented. By the Lord Chancellor, Lord Auckland, and Lord Western, from a great Number of Places to be relieved from Tithes Suits.—By the Lord Chancellor, from thirty-four Places in Scotland, for an Alteration in the System of Lay Patronage: also from several Places, in favour of the Local Jurisdiction Bill; from Brechin, for the Establishment of Local Schools; from the Ward of Vintry, London, for the Repeal of the House and Window Tax; from the Protestant Dissenters of Swanage, for Relief; from several Places, for the Removal of the Civil Disabilities of the Jews; from Wakefield, &c., against the Scotch and Irish Vagrant Bill; from the Senatus Academicus of Edinburgh, against the Apothecaries Act; from Glasgow, to Extend the Sheriff's Jurisdiction to Bankruptcy; three Petitions from Cupar, for different Legal Objects; and from Kingley, in favour of the Factories' Regulation Bill.

Small Debts' (Scotland).] The *Lord Chancellor* said, that there was now on the Table, a Bill of which he most highly approved, but which, nevertheless, he did not feel bound to press through Parliament in the present Session. It was a Bill to extend the jurisdiction of the Small Debts' Courts in Scotland. There were two reasons why he should not press the Bill at this moment. The first was, that there had been Commissioners appointed, among other things, to inquire into the jurisdiction of these Courts, and to report whether any and what alterations were necessary—a reason sufficient in itself: and the second was, the late period of the Session. The Bill had certainly come up to their Lordships on the 23rd of July, but the discussion on the Irish Tithe Bill, the Bank Bill, the East-India Company Bill, and others of paramount importance had always interfered to prevent its being taken into consideration. It should, however, have his best assistance next Session.

Tithes — Stay of Suits.] Lord *Western* presented a great number of Petitions from Kendal and other places, against these suits, and in favour of the Bill for staying them, and commented upon the hardship that was felt by all those against whom these actions had been brought. One of these Petitions was from a Solicitor, who was professionally employed for no less than 1,000 defendants in one parish. He trusted, that the evils thus felt would not be increased now that the Bill for staying these suits was thrown out.

The *Lord Chancellor* said, that it was undoubtedly true that there was considerable hardship in these cases, but still as the law had opened the door to these suits, those who brought them were not to be blamed. At the same time it must be admitted that great expense had been incurred, for the first thing that a man did under these circumstances was to send for an attorney, whom he could not see without incurring some costs. He was sure that those who had brought these actions had chiefly intended to show that they did not, on the part of those who might afterwards be interested, give up what they considered their legal rights; but he repeated the wish he had before expressed, that further expense might not be incurred.

Petitions to lie on the Table.

Tithes' Arrears (Ireland) Bill—Business of the House.] The Earl of *Wicklow* presented a petition from the rev. Mr. Hincks against the Irish Tithe Bill. He was not aware till now, that that Bill had been passed. It was passed at the Morning Sittings.

The Duke of *Wellington* had been equally taken, by surprise by the passing of this Bill at the twelve o'clock sitting. He was the more surprised, as he found that a clause which he had introduced in Committee had been this day struck out on the Motion of the noble Viscount opposite. He complained of this mode of proceeding, and protested against it. The proceedings of that House seemed to be in confusion, and he trusted that more regularity might be observed for the future.

Viscount *Melbourne* regretted this misunderstanding, for it was no more. He thought, that every noble Lord was aware that the Bill would be passed at the early sitting. To do so was necessary, for the House of Commons had a right to expect that they should have some time to consider the Amendments that had been made in their Lordships' House. He had not been aware, that the noble Duke had intended to persevere with the clause.

The Duke of *Wellington* had not had the slightest intention to give up the clause; and what he said on the subject now was, that the House ought to have had notice of this intention to pass the Bill at the early Sitting.

The Earl of *Wicklow* said, he must take the liberty of declaring, that this was a most unwarrantable proceeding on the part of his Majesty's Ministers. Were their Lordships' proceedings in Committee to be treated with contempt, and Amendments which had been agreed to in Committee to be afterwards surreptitiously taken out of a Bill? It was a degree of contempt really not to be tolerated. Now, that he was upon his legs, he wished to ask whether, if any of the persons to whom, under the Irish Tithe Bill, the loan was to be made, should not wish to avail themselves of that loan, but should, as he believed many of them desired, have recourse to their former legal remedies, to recover their property, the Government would continue to afford them that aid in collecting tithes which had been given before the order of the month of June last?

Viscount *Melbourne* said, that it was not for him to state what would be the conduct of the Government in circumstances which had not yet happened. It would determine what to do when those circumstances did occur. The assistance given by the army and police before June last was, because the tithes had then become a Government revenue. They were not so now, and matters reverted to their former state. It was not the policy of any Government to employ military in the first instance to enforce the payment of a legal claim; but if legal proceedings were resorted to, and legal process was openly resisted by force, it might become the duty of a Government to see that that legal process was obeyed.

Conversation dropped.

HOUSE OF COMMONS,

Wednesday, August 28, 1833.

Minutes.] Papers ordered. On the Motion of Lord Althorp, Returns of the Number of Ship Letter Bags,

&c., and scaled Packages, despatched from the General Post Office, London, to Places beyond the Seas, from 1st January, 1832, to 16th August, 1835, &c.

Petitions presented. By Mr. Cobbett, from Warwick, against further Restrictions on the Sale of Beer; from Swansea, in favour of the Tithes Stay of Suits Bill.—By Mr. Vigors, from St. Pancras, for Carrying into Execution the Report of the Public Walks Committee; from Neath Abbey, for the Abolition of Tithes.—By Mr. Warburton, from the Royal College of Physicians, Edinburgh, for an Inquiry into the State of the Medical Profession.

Deccan Prize Money.] Mr. *Warburton* rose to ask the question of which he had given notice, relative to the Deccan prize money. It was, whether, after the important discoveries which had taken place with regard to that fund, the Treasury would not think it fit to give the parties a regular hearing, at the Treasury itself, or to refer to the Court of Admiralty, or to a Special Commission. The facts were these—on the 22nd of June, 1825, a letter was addressed by the trustees to the Treasury, regarding the manner in which they would recommend the distribution of the money to take place, and pointing out certain facts which they thought they had discovered during their investigation. On the 14th of September following, they wrote another letter to the Treasury, stating, that on reconsidering the case, they wished to withdraw the first letter, and to substitute another of a very different nature; in fact, altogether at variance with that of the 22nd of June. When the case came to be argued before the Treasury in 1826, the substituted letter was referred to on the part of the Counsel for the Crown, but the whole of the information was withheld from the parties. The trustees were present at the argument, and were in possession of the facts stated both in the orginal and published letter. The latter document had been completely falsified, inasmuch as a most important paragraph was omitted. Other documents of a most important nature, which were in possession of the Marquess of Hastings, had been withheld from the other party, and if such irregular proceedings were allowed to go on, the whole of the judicial inquiry which had been instituted would be of no avail. He, therefore, wished to know, whether it was the intention of the Treasury to divide the money before another hearing was given to those parties who had been deprived of that information to which they were clearly entitled. If the parties were allowed to be heard, they would be enabled to point out many errors, and to adduce such reasons as he had no doubt would lead Ministers to postpone the distribution of the money. He would conclude by moving an Address to his Majesty, "that the Petitions of Generals Hislop and Smith be referred again to the Privy Council."

Colonel *Evans* had very great respect for the intentions of the hon. Member, but he must protest against the adoption of the course he had advocated, for he seemed to argue the case as that of a Chancery suit and a matter of private property, without any reference whatever to the public. If the course recommended by the hon. Member should be adopted, he (Colonel Evans) would venture to say, that the distribution of the money would be delayed for ten years longer. The hon. Member had alluded to the recent and important discoveries which had been made in regard to the correspondence, but he (Colonel Evans) did not believe those discoveries were of any great importance, so far as the great body of the captors were concerned. He respected the great services of Generals Hislop and Smith; but there was a numerous class of more humble captors, who ought to be considered. If the proposition were acceded to, it would entirely defeat the objects of the public with regard to prize property. There was no reason to suppose the Government wished to act partially in this matter, but they had certainly acceded too easily to individual importunity. He would earnestly request the Treasury to decide the question without any further judicial proceedings whatever, for he was convinced that the great body of the surviving captors—for vast numbers of them were dead—would be perfectly content with whatever decision the Government might come to.

Mr. *Crawford* concurred in what had fallen from the hon. and gallant Officer, and he hoped that no further delay would take place in the distribution of the money.

Lord *Althorp* said, the House was aware that the papers relating to this question had been laid upon the Table, and it was his intention to apply himself to the substantial merits of the question. It was necessary, however, that, to a certain extent, he should make himself master of those papers, before he could possibly give any direct answer to the question put by the hon. Member opposite. The Privy Council, as had been stated, had referred the matter to the Treasury, which had to decide whether they should think it their duty to hear the case argued before them, or act upon the former decisions. But it was impossible for him at present to say which might be the better course, until he had time to examine the papers now before the House. Up to the present moment he had not had that opportunity. Now, however, he should have more time, and he should certainly endeavour to make himself master of the case; and he hoped that in the meanwhile, this statement being satisfactory, he might have the confidence of the House that the Treasury, whatever steps they might take, were determined to come to a fair and impartial conclusion.

Motion withdrawn.

FOREIGN AFFAIRS.] Mr. *Thomas Attwood* rose for the purpose of asking some questions respecting the foreign policy of the country, which he was anxious to have answered, as far as the noble Lord could consistently with his public duty, develope the plans of his Majesty's Government. He was rejoiced at the course which Government had at last adopted towards Donna Maria: but, in other respects, he must say that he was much dissatisfied with the general policy pursued by Government for many years past, in relation to Spain, Italy, Turkey, and Poland. With regard to Portugal, however, he was satisfied with what had now taken place; and he could not but express a hope, that, with regard to Poland and Turkey, Government would soon pursue such measures as the honour and interests of this country imperatively demanded. With regard to Turkey, he would merely remark, that it was generally believed that Russia had gone so far as to threaten England if she interfered and granted assistance to Turkey. His first question was, whether the noble Lord was aware of the existence of a treaty lately entered into between Holland and the United States of America, which he understood was very ominous to the interests of England? Secondly, he wished to know what were the reasons which induced Government, in August last year, to refuse assistance to Turkey, when asked by the Porte? Thirdly, whether the noble Lord was really aware of the offers made to England on that occasion by the Pacha of Egypt, which he understood were really of a very extraordinary character? Fourthly, what was the object of Lord Durham's late mission to Russia, and with what success it had been attended? And lastly, as Count Orloff was soon afterwards sent over to England, what reception he had met with at his Majesty's Court.

Viscount *Palmerston* hoped, that the hon. Gentleman would not consider it any want of courtesy or of respect to him personally if he (Viscount Palmerston) should be obliged from public duty to decline answering in detail some of the questions proposed. With regard to the first question, he had no official knowledge of any treaty lately concluded between Holland and the United States, so that he could give no information upon that subject. With respect to the second point, the reasons which induced Government not to comply with the request made by the Porte for naval assistance, he was happy to correct an error as to dates. He was reported to have said on a late occasion, that that request had been made in the month of August last year—he said, however, in autumn last year. In fact, it was in the month of October that the application was made. Without giving any very detailed explanation of the matter, he would only remind the House, that when we were embarking in naval operations in the North Sea, and on the coast of Holland, and were under the necessity of keeping up another naval force on the coast of Portugal, it would have been impossible to have sent to the Mediterranean such a squadron as would have served the purpose of the Porte, and at the same time have comported with the naval dignity of this country; and as Parliament was not then sitting, Government could not acquiesce in the request made by the Sultan. He could assure the hon. Member, that if any person imagined, that, among other motives which influenced the conduct of his Majesty's Government, there was anything like a threat on the part of Russia, they were entirely mistaken. On the contrary, it was but justice that he should state, that so far from Russia having expressed any jealousy as to Government granting that assistance, the Russian ambassador officially communicated to him (Viscount Palmerston) while the request was still under consideration, that he had learned that such an application had been made, and that, from the interest taken by Russia in the maintenance and preservation of the Turkish Empire, it would afford satisfaction if Ministers could find themselves able to comply with the request. With regard to there having been any communication with the Pacha of Egypt, the hon. Gentleman had not explained to what he alluded, therefore the House would excuse him from saying more than that as it was a war against a Sovereign by a subject, and as that sovereign was in alliance with the King of England, it would have been inconsistent with good faith to have had any communication with the Pacha. With respect to the mission of Lord Durham, great misapprehension had prevailed on that subject. The person who was ambassador at the Court of St. Petersburgh left in consequence of ill health, and it was before another was appointed, that his Lordship went out. He did not go with any specific instructions—he was charged with the general business of England at that Court, and his instructions embraced all points. The manner in which the noble Lord had conducted that mission had obtained for him the unqualified approbation of his colleagues and his Sovereign. His mission was perfectly successful. Count Orloff had not been in this country on a mission—he had been sent to the Hague on one: but to this country he came only in the character of a distinguished traveller.

Subject dropped.

HOUSE OF LORDS,

Thursday, August 29, 1833.

Prorogation of Parliament.] His Majesty went in state to the House of Peers, and being seated on the Throne, had the Commons, according to the usual forms, summoned to the Bar of the House of Peers.

The Speaker of the House of Commons, accompanied by a considerable number of Members, and bearing in his hand the Consolidated Fund Bill, accordingly came to the Bar, and addressed his Majesty as follows:—

May it please your Majesty;

We, your Majesty's faithful Commons of the United Kingdom of Great Britain and Ireland, attend your Majesty with our last Bill of Supply.

And, Sire, in reviewing our labours of the last seven months, it may, I think, be truly said, that the history of Parliament will not furnish a Session so wholly engrossed and overwhelmed with matters so various and so difficult in their character, and so deeply important to the vital interests of the Empire, as this Session, which, with your Majesty's permission, is now about to close.

Sire, we have directed our most anxious attention to the completing new arrangements with the Bank of England—to the renewal of the Charter of the East-India Company—to the opening of the trade and commerce of this country with China—to the Abolition of Slavery in the West-India Colonies—to the revisal and alteration of the temporalities of that part of our Established Church in Ireland—to the making good the payment to the tithe-owners of Ireland of those arrears to which they were legally entitled, but of which, from the disturbed state of some parts of the country, they have been illegally deprived; and to the endeavour (and, I trust experience already entitles me to add, the successful endeavour) to restore tranquillity, and peace, and security for life and property in that part of the United Kingdom, by the adoption of measures of great severity, but which, at the same time, seemed to us alone adequate, under such pressing circumstances.

Indeed, Sire, I may say that matters as important as numerous—involving the greatness, the stability, and the welfare of this country in its credit, in its colonial prosperity, in its trading and commercial interests, in the internal tranquillity of a portion of the Empire, and in some of its great and ancient institutions,—have altogether most fearfully pressed upon us during the present Session.

And, Sire, if length of time, and intensity of labour, and anxious deliberation, with full consciousness of the magnitude of the concerns with which we were dealing, are a favourable and sure presage of what may be anticipated as the results of our measures, we shall, indeed, be amply compensated for all our unwearied exertions, and shall have the satisfaction to feel that we have discharged faithfully to our constituents and to your Majesty, those important duties which your Majesty was graciously pleased to point out to us in your Majesty's Speech at the opening of the present Session of Parliament.

Sire, the Bill which I have now humbly to present to your Majesty is entitled, "An Act to supply the sum of 6,000,000*l.* out of the Consolidated Fund, and to appropriate the Supplies granted in this Session of Parliament:" to which we humbly pray your Majesty's Royal Assent.

The Speaker delivered the Consolidated Fund Bill to the Clerk, and it received the Royal Assent, as did the following eleven Bills:—Bank Charter; Tithes (Ireland); Court of Exchequer; Forgery of Stamps; Tea Duties; Factories' Regulation; Roman Catholic Marriages (Ireland); Payment of Debts; Dower; Inheritance; Edinburgh Community Estates.

His Majesty then delivered the following Speech:—

"*My Lords and Gentlemen,*

"In opening the present Parliament, I stated, that never at any time had subjects of greater interest and magnitude called for your attention.

"The manner in which you have discharged the duties thus committed to you, now demands my warmest acknowledgments, and enables me to close a Session not more remarkable for its extended duration, than for the patient and persevering industry which you have displayed in many laborious inquiries, and in perfecting the various legislative measures which have been brought under your consideration.

"I continue to receive from my Allies, and from all Foreign Powers, assurances of their friendly disposition.

"I regret, that I cannot yet announce to you the conclusion of a definitive arrangement between Holland and Belgium; but the Convention which, in conjunction with the King of the French, I concluded in May last with the King of the Netherlands, prevents a renewal of hostilities in the Low Countries, and thus affords a fresh security for the general continuance of peace.

"Events which have lately taken place in Portugal have induced me to renew my diplomatic relations with that kingdom; and I have accredited a Minister to the Court of her most Faithful Majesty at Lisbon.

"You may rest assured that I look with the greatest anxiety to the moment when the Portuguese Monarchy, so long united with this country by the ties of alliance and by the closest bonds of interest, may be restored to a state of peace, and may regain its former prosperity.

"The hostilities which had disturbed the peace of Turkey have been terminated; and you may be assured, that my attention will be carefully directed to any events which may affect the present state or the future independence of that empire.

"An investigation, carefully prosecuted during the last Session, has enabled you to renew the Charter of the Bank of England, on terms which appear to be well calculated to sustain public credit, and to secure the usefulness of that important establishment.

"The laborious inquiries carried on by Committees of both Houses of Parliament for several successive Sessions, have also enabled you to bring the affairs of the East-India Company to a satisfactory adjustment. I have the most confident expectation, that the system of government thus established will prove to have been wisely framed for the improvement and happiness of the natives of India, whilst, by the opening of the China trade, a new field has been afforded for the activity and enterprize of British Commerce.

"The state of Slavery in my Colonial Possessions has necessarily occupied a portion of your time and your attention, commensurate with the magnitude and the difficulty of the subject; whilst your deliberations have been guided by the paramount considerations of justice and humanity, the interests of the Colonial Proprietors have not been overlooked. I trust, that the future proceedings of the Assemblies, and the conduct of all classes in my Colonies may be such as to give full effect to the benevolent intentions of the Legislature, and to satisfy the just expectations of my people.

"I observe with satisfaction, that the Amendment of the Law has continued to occupy your attention, and that several important measures have been adopted, by some of which the titles to property have been rendered more secure, and the conveyance of it more easy; while by others the proceedings in Courts both of Law and Equity have been made more expeditious and less costly. The establishment of the Court of Privy Council is another improvement, which, while it materially assists suitors at home, will, I trust, afford substantial relief to those in my foreign possessions.

"You may rest assured, that there is no part of your labours which I regard with a deeper interest than that which tends, by well-considered Amendments of the Law, to make justice easily accessible to all my subjects.

"With this view I have caused a Commission to be issued for digesting into one body the enactments of the Criminal Law, and for inquiring how far, and by what means, a similar process may be extended to the other branches of our Jurisprudence. I have also directed Commissions to be issued for investigating the state of the Municipal Corporations throughout the United Kingdom.

"The result of their inquiries will enable you to mature some measures which may seem best fitted to place the internal government of Corporate cities and towns upon a solid foundation, in respect of their finances, their judicature, and their police. In the mean time, two important Acts have been passed, for giving Constitutions, upon sound principles, to the Royal and Parliamentary Burghs of Scotland; and your attention will hereafter be called to the expediency of extending similar advantages to the unincorporated towns in England which have now acquired the right of returning Members to Parliament.

"It was with the greatest pain that I felt myself compelled to call upon you for additional powers to control and punish the disturbers of the public peace in Ireland. This call was answered, as I confidently expected, by your loyalty and firmness. I have not found it necessary, except in a very limited degree, to use the powers thus confided to me; and I have now the satisfaction of informing you, that the spirit of insubordination and violence which had prevailed to so alarming an extent has been, in a great measure, subdued.

"I look forward with anxiety to the time when the painful necessity of continuing this measure of great but unavoidable severity, may cease; and I have given my assent, with unqualified satisfaction, to the various salutary and remedial measures which, during the course of the present Session, have been proposed to me for my acceptance.

"The Act which, in pursuance of my recommendation, you have passed with respect to the Temporalities of that branch of the United Church which is established in Ireland, and for the immediate and total abolition of Vestry Assessments, and the Acts for the better Regulation of Juries, both as to their civil and criminal functions, afford the best proof that full reliance may be placed on the Parliament of the United Kingdom for the introduction of such beneficial improvements as may ensure the welfare of all classes of my subjects; thus effectually cementing that Legislative Union which, with your support, it is my determination to maintain inviolate.

"*Gentlemen of the House of Commons,*

"I thank you for the Supplies which you have granted for the service of the year. The Estimates proposed to you by my directions were considerably lower than those of former Sessions; and you have wisely applied the Savings which have thus been effected to a diminution of the public burthens. In this course of judicious economy, combined with a due regard to the exigencies of the State, I am persuaded, that you will persevere, and thus confirm the title which you have acquired to general confidence as the faithful guardians of the honour of the Crown, and of the true interests of the people,

"*My Lords and Gentlemen,*

"In returning to your respective counties you will carry with you the gratifying reflection, that your labours have been assiduously employed for the benefit of your fellow-subjects. During the recess, your attention will be equally directed to the same important object: and in this useful and honourable discharge both of your public and private duties, under the blessing of Divine Providence I confidently rely for the encouragement and support of my people in that love of liberty and order—that spirit of industry and obedience to the laws—and that moral worth—which constitutes the safety and happiness of nations."

The Lord Chancellor then declared, that by his Majesty's commands, the Parliament stood prorogued to Thursday, the 31st of October.

His Majesty withdrew.

HOUSE OF COMMONS,

Thursday, August 29, 1833.

Labours of the Session.] Sir *Robert Inglis,* on presenting the forty-second report from the Select Committee on Public Petitions, took that opportunity to observe, that there had been presented a greater number of petitions than had ever been presented during any former Session of Parliament, and that the House had sat a much longer time than had distinguished any previous Session. It might be deemed a cruel mockery to compare their labours with the factory labours; yet a slight reference to facts would show that the duties of Members of that House had been severe in the extreme, judging from the duration of time. It appeared by a very ably drawn paper, that the House had sat twice as many days as some former Sessions, and nearly three times as many hours as the Session of 1826; during which, the House of Commons sat sixty-four days, and 457 hours. Even during the long Reform Session of 1831, the House sat only ninety-eight days or 918 hours; but up to yesterday, the House had sat during the present Session 142 days, and 1,270 hours. The Session of 1806 had lasted 125 days, and 645 hours, an average of five hours a-day. In 1811, the House sat 135 days, and 588 hours, being an average of four hours and a half a-day. In 1814 it sat 127 days, and 476 hours, being an average of less than four hours a-day. As he had already stated, the present Session had sat 1,270 hours. Before Easter the House had often sat nine hours a-day; since Easter it had often sat considerably more than twelve hours a-day; the average for the whole Session, however, was nine hours a-day. He begged to remark, that the results which he had here detailed were not stated from inquiries of his own, but they were the details of a most intelligent and valuable officer of the House (Mr. Rickman); but in whose presence he would say no more. They were partly derived from the examination of the "votes" of the present Session, and partly from the report of the Select Committee of which Sir Robet Peel was Chairman; and for some of the most curious particulars laid before that Committee, they were indebted to the same intelligent officer.

Report to be printed.

Warwick Election.] Colonel *Evans* said, that even at this late period, he felt it his duty to submit a Resolution to the House on the subject of the alleged conduct of the Earl of Warwick at the last election. The noble Earl was now returned, and had made a statement upon the subject in another place. It was, certainly, matter of astonishment to a great portion of the country, that the noble Lord opposite (Lord Althorp) should not yesterday have stated what course the Government intended to pursue on the subject. In consequence of the answer given by the noble Lord yesterday, he thought it was due to the dignity of the House, and to the rights and privileges of the Commons at large, that it should be stated what was to be done in the matter. Without impeaching the conduct of the noble Peer alluded to in the Report of the Select Committee, but with an earnest hope that that noble personage might be able to make good the statement he had put forth in another place, he (Colonel Evans) should move the following Resolution:—"That it appearing by the report of the Select Committee appointed to make inquiry into the circumstances of the late election for the borough of Warwick, that the right hon. the Earl of Warwick, Lord-lieutenant of the county, and a Peer of the realm, in violation of the resolutions and standing orders of this House, and of the law of the land, is deeply implicated by his agents, and the application of large sums of money in various corrupt and illegal practices during the last election for the borough of Warwick, and that Alexander Brown, the steward, and various aldermen and burgesses of the borough, are implicated in various illegal practices, the Attorney-General be directed to prosecute the Earl of Warwick, and all others named or described in the Report of the said Select Committee, as concerned in the unlawful proceedings aforesaid."

Mr. Cobbett seconded the resolution.

Lord *Althorp* had, certainly, not expected that any Motion such as the present, would be brought forward on the last day of the Session and more particularly that it should be done without notice, and in the face of a notice now on the votes for the next Session, when the charge which had been made against the noble Earl could be fully investigated. The hon. Member by his Motion called upon the House to direct a prosecution without affording the House an opportunity of investigating the merits of the case. It was observed by the hon. and gallant Member, that his (Lord Althorp's) answer had caused great astonishment amongst a great portion of the country. Now, as that answer was but given yesterday, though it might be known in the metropolis and in the city of Westminster, yet it scarcely could be known, if read at all, by the great portion of the country. It was not the wish of the Government to protect any person guilty of a violation of the rights and privileges of the House; on the contrary, the Ministers were determined, whenever a case was brought before them, to examine it carefully, and they would be perfectly ready to deal with it next Session. The hon. Gentleman now asked the House to give judgment upon a case not heard, and to direct a prosecution in a manner totally unprecedented, without any means of discussing the case. He objected to the Motion for want of notice, and for want of information on which to act; in point of form, too, it was irregular, for the proper mode would be to move an address to the Crown, to direct such a prosecution; but, at the present moment, he (Lord Althorp) conceived the best course he could pursue was to move the previous question.

Mr. *Cobbett* observed, that though there was information contained in the report quite sufficient now to proceed upon, yet he felt great satisfaction in hearing what had just fallen from the noble Lord opposite, whom he believed to be sincere in his declaration to do justice to the dignity of the House.

Sir *Samuel Whalley* hoped the hon. and gallant member for Westminster, would rest content with the declaration of the Government, and not persevere in his Motion at this period of the Session.

Mr. *Cutlar Fergusson* said, that if the facts disclosed before the Committee should be made out, it would be the duty of the Government to take the subject into its consideration. The high rank of the noble Earl was an additional reason why, if guilty, an example should be made.

Sir *Robert Inglis* observed, that he thought it would be difficult for the hon. and learned member for Kircudbrightshire, to prove that there was any ground for indictment. He took the liberty of denying that the statute law or the common law, made it an offence for a Peer of the realm to give his vote or interfere at an election; the offence, if any, was only against a resolution of that House. In confirmation of that opinion, he referred to the conduct of the late Duke of Norfolk, who invariably and openly went and gave his vote at elections for Members for the House of Commons. He was proceeding to state, that the late Earl of Winchilsea used to proceed in state, drawn by six horses, to the places of election, and then give his vote; but the hon. Baronet suddenly concluded, understanding that the Black Rod was approaching.

The appearance of the Gentleman Usher of the Black Rod, who approached the table, and in the usual terms summoned the attendance of the House to the House of Peers, to hear his Majesty's speech on the prorogation of Parliament, put an end to the debate.

The *Speaker*, attended by the Members present, proceeded to the House of Lords, and, after some time, returned. Standing at the table, he read to the House the speech which had been delivered from the throne; for which see Lords' Debates, *ante*, 903, and then the Members separated.

END OF VOL. XX.—THIRD SERIES,

AND OF

SIXTH AND LAST VOL. OF SESS. 1833.

APPENDIX.

APPENDIX.

FINANCE ACCOUNTS,

Class I *to* VIII,

OF THE UNITED KINGDOM OF GREAT BRITAIN AND IRELAND,
For the Year ended 5th January, 1833.

CLASS.
I. - - - PUBLIC INCOME.
II. - - - PUBLIC EXPENDITURE.
III. - - - CONSOLIDATED FUND.
IV. - - - PUBLIC FUNDED DEBT.
V. - - - UNFUNDED DEBT.
VI. - - - DISPOSITION OF GRANTS.
VII. - - - ARREARS AND BALANCES.
VIII. - - - TRADE AND NAVIGATION.

An Account of the ORDINARY REVENUES and EXTRAORDINARY RESOURCES, consti-
IRELAND; for the Year

N.B.—This Account is formed by adding the Totals of the Account for Great

HEADS OF REVENUE.	GROSS RECEIPT.			Repayments, Allowances, Discounts, Drawbacks, and Bounties in the Nature of Drawbacks, &c.			NETT RECEIPT within the Year, after deducting REPAYMENTS, &c.		
Ordinary Revenues.	£.	s.	d.	£.	s.	d.	£.	s.	d.
CUSTOMS	19,684,574	4	10	1,216,692	18	7	18,467,881	6	3
EXCISE	18,849,496	5	9¾	905,895	9	2¼	17,943,600	16	7½
STAMPS (including Hackney Coach, and Hawkers and Pedlars Licenses)	7,420,894	14	4	301,002	10	11½	7,119,892	3	4½
TAXES, under the Management of the Commissioners of Taxes	5,339,923	15	2½	6,237	7	4	5,333,686	7	10½
POST OFFICE	2,277,274	19	10½	101,983	11	3	2,175,291	8	7½
One Shilling in the Pound, and Sixpence in the Pound on Pensions and Salaries, and Four Shillings in the Pound on Pensions	27,257	10	3	-	-	-	27,257	10	3
Crown Lands	359,524	15	9	-	-	-	359,524	15	9
Small Branches of the King's Hereditary Revenue	12,599	7	4	-	-	-	12,599	7	4
Surplus Fees of Regulated Public Offices	31,232	13	11¼	-	-	-	31,232	13	11¼
Poundage Fees, Pells' Fees, Casualties, and Treasury Fees in Ireland	3,779	16	1¾	-	-	-	3,779	16	1¾
TOTALS of Ordinary Revenues	54,006,558	3	5¾	2,531,811	17	3¾	51,474,746	6	2
Extraordinary Resources.									
Money received from the East-India Company, on account of Retired Pay, Pensions, &c. of his Majesty's Forces serving in the East Indies, per Act 4 Geo. 4, c. 71	60,000	0	0	-	-	-	60,000	0	0
Balance of the Hereditary Revenue of his late Majesty George the Fourth in Scotland	21,582	16	3	-	-	-	21,582	16	3
Imprest Monies, repaid by sundry Public Accountants, and other Monies paid to the Public	36,693	2	5	-	-	-	36,693	2	5
Money received from the Bank of England on account of Unclaimed Dividends	36,683	6	2	-	-	-	36,683	6	2
TOTALS of the Public Income of the United Kingdom	54,161,517	8	3¾	2,531,811	17	3¾	51,629,705	11	0

tuting the PUBLIC INCOME of the United Kingdom of GREAT BRITAIN AND
ended 5th January, 1833.

Britain to the Totals of the Account for Ireland—for which Accounts see *infra*.

TOTAL INCOME, including BALANCES.			TOTAL PAYMENTS out of the Income, in its Progress to the Exchequer.			PAYMENTS into the EXCHEQUER.			BALANCES and BILLS outstanding on 5th January, 1833.			TOTAL DISCHARGE of the INCOME.			Rate per cent for which the Gross Receipt was collected.		
£.	*s.*	*d.*	*£.*	*s.*	*d.*	*£.*	*s.*	*d.*	*£.*	*s.*	*d.*	*£.*	*s.*	*d.*	*£.*	*s.*	*d.*
19,093,351	10	4¾	1,759,482	10	2	16,794,992	6	3½	538,876	13	11¼	19,093,351	10	4¾	6	19	10
18,516,291	17	1¼	1,254,998	0	3¼	16,611,036	14	0	650,257	2	10	18,516,291	17	1¼	6	0	6¼
7,409,389	9	0	195,956	3	4¼	6,951,843	11	6	261,589	14	1¾	7,409,389	9	0	2	12	9¾
5,482,087	16	7½	265,619	19	8	4,943,967	8	8¼	272,500	8	3¼	5,482,087	16	7½	4	9	7¾
2,345,957	12	0	718,163	6	9¼	1,461,000	0	0	166,794	5	2¾	2,345,957	12	0	28	5	1½
29,531	1	7	949	14	8	26,782	4	6	1,799	2	5	29,531	1	7	3	9	7½
424,029	3	1	336,165	8	11¾	-	-	-	87,863	14	1¼	424,029	3	1	7	0	1
12,599	7	4	2,996	10	10	9,161	10	8	441	5	10	12,599	7	4		—	
31,232	13	11¼	-	-	-	31,232	13	11¼	-	-	-	31,232	13	11¼		—	
3,779	16	1¾	-	-	-	3,779	16	1¾	-	-	-	3,779	16	1¾		—	
53,348,250	7	2½	4,534,331	14	8½	46,833,796	5	8¾	1,980,122	6	9¼	53,348,250	7	2½	6	13	11¾
60,000	0	0	-	-	-	60,000	0	0	-	-	-	60,000	0	0		—	
21,582	16	3	-	-	-	21,582	16	3	-	-	-	21,582	16	3		—	
36,693	2	5	-	-	-	36,693	2	5	-	-	-	36,693	2	5		—	
36,683	6	2	-	-	-	36,683	6	2	-	-	-	36,683	6	2		—	
53,503,209	12	0½	4,534,331	14	8½	46,988,755	10	6¾	1,980,122	6	9¼	53,503,209	12	0½		—	

An Account of the ORDINARY REVENUES and EXTRAORDINARY RE-
the Year ended

HEADS OF REVENUE.	GROSS RECEIPT.			Repayments, Allowances, Discounts, Drawbacks, and Bounties of the Nature of Drawbacks, &c.			NETT RECEIPT within the Year, after deducting REPAYMENTS, &c.		
Ordinary Revenues.	£.	s.	d.	£.	s.	d.	£.	s.	d.
CUSTOMS	18,167,665	8	8¼	1,207,033	14	4	16,960,631	14	4¼
EXCISE	16,650,736	13	5¾	894,877	17	4¾	15,755,858	16	1
STAMPS (including Hackney Coach, and Hawkers' Licenses)	6,947,915	14	6¼	290,071	5	0¼	6,657,844	9	6
TAXES, under the Management of the Commissioners of Taxes	5,339,923	15	2½	6,237	7	4	5,333,686	7	10½
POST OFFICE	2,034,603	18	6½	81,005	13	10½	1,953,598	4	8
One Shilling in the Pound, and Sixpence in the Pound on Pensions and Salaries, and Four Shillings in the Pound on Pensions	27,257	10	3	-	-	-	27,257	10	3
Crown Lands	359,524	15	9	-	-	-	359,524	15	9
Small Branches of the King's Hereditary Revenue	12,599	7	4	-	-	-	12,599	7	4
Surplus Fees of Regulated Public Offices	31,232	13	11¼	-	-	-	31,232	13	11¼
TOTALS of Ordinary Revenues	49,571,459	17	8½	2,479,225	17	11½	47,092,233	19	9
Extraordinary Resources.									
Money received from the East-India Company on account of Retired Pay, Pensions, &c. of his Majesty's Forces serving in the East Indies, per Act 4 Geo. 4, c. 71	60,000	0	0	-	-	-	60,000	0	0
Balance of the Hereditary Revenue of his late Majesty George the Fourth in Scotland	21,582	16	3	-	-	-	21,582	16	3
Imprest Monies repaid by sundry Public Accountants, and other Monies paid to the Public	9,551	19	4	-	-	-	9,551	19	4
Money received from the Bank of England, on account of Unclaimed Dividends	36,683	6	2	-	-	-	36,683	6	2
TOTALS of the Public Income of Great Britain	49,699,277	19	5½	2,479,225	17	11½	47,220,052	1	6

SOURCES, constituting the PUBLIC INCOME of GREAT BRITAIN, for 5th January, 1833.

TOTAL INCOME, including BALANCES.			TOTAL PAYMENTS out of the Income, in its Progress to the Exchequer.			PAYMENTS into the EXCHEQUER.			BALANCES and BILLS outstanding on 5th January, 1833.			TOTAL DISCHARGE of the INCOME.			Rate per cent. for which the Gross Receipt was collected.		
£.	s.	d.	£.	s.	d.	£.	s.	d.	£.	s.	d.	£.	s.	d.	£.	s.	d.
17,503,187	2	9	1,485,378	10	1¾	15,559,883	7	7½	457,925	4	11¾	17,503,187	2	9	6	3	9
16,306,153	11	10¾	1,022,558	18	10½	14,657,220	12	8½	626,374	0	3¾	16,306,153	11	10¾	5	13	8¼
6,931,759	13	8¼	170,318	2	4½	6,515,344	3	5	246,097	7	10¾	6,931,759	13	8¼	2	9	0¼
5,482,087	16	7½	265,619	19	8	4,943,967	8	8¼	272,500	8	3¼	5,482,087	16	7½	4	9	7¾
2,077,296	5	2¾	632,012	7	11¾	1,323,000	0	0	122,283	17	3	2,077,296	5	2¾	27	7	10
29,531	1	7	949	14	8	26,782	4	6	1,799	2	5	29,531	1	7	3	9	7½
424,029	3	1	336,165	8	11¾	-	-	-	87,863	14	1¼	424,029	3	1	7	0	1
12,599	7	4	2,996	10	10	9,161	10	8	441	5	10	12,599	7	4		—	
31,232	13	11¼	-	-	-	31,232	13	11¼	-	-	-	31,232	13	11¼		—	
48,797,876	16	1¼	3,915,999	13	6¼	43,066,592	1	6½	1,815,285	1	0¾	48,797,876	16	1½	6	3	7¾
60,000	0	0	-	-	-	60,000	0	0	-	-	-	60,000	0	0		—	
21,582	16	3	-	-	-	21,582	16	3	-	-	-	21,582	16	3		—	
9,551	19	4	-	-	-	9,551	19	4	-	-	-	9,551	19	4		—	
36,683	6	2	-	-	-	36,683	6	2	-	-	-	36,683	6	2		—	
48,925,694	17	10½	3,915,999	13	6¼	43,194,410	3	3½	1,815,285	1	0¾	48,925,694	17	10½		—	

An Account of the ORDINARY REVENUES and EXTRAORDINARY
for the Year ended

HEADS OF REVENUE.	GROSS RECEIPT.			Repayments, Drawbacks, Discounts, &c.			NETT RECEIPT within the Year, after deducting REPAYMENTS, &c.		
Ordinary Revenues.	£.	s.	d.	£,	s.	d.	£.	s.	d.
CUSTOMS	1,516,908	16	1¾	9,659	4	3	1,507,249	11	10¾
EXCISE	2,198,759	12	4	11,017	11	9½	2,187,742	0	6½
STAMPS	472,978	19	9¾	10,931	5	11¼	462,047	13	10½
POST OFFICE	242,671	1	4	20,977	17	4½	221,693	3	11½
Poundage Fees, Pells' Fees, Casualties, and Treasury Fees	3,779	16	1¾	-	-	-	3,779	16	1¾
TOTALS of Ordinary Revenues	4,435,096	5	9¼	52,585	19	4¼	4,382,512	6	5
Other Resources.									
Imprest Monies repaid by sundry Public Accountants, and other Monies paid to the Public	27,141	3	1	-	-	-	27,141	3	1
TOTALS of the Public Income of Ireland	4,462,239	8	10¼	52,585	19	4¼	4,409,653	9	6

RESOURCES, constituting the PUBLIC INCOME of IRELAND, 5th January, 1833.

TOTAL INCOME, including BALANCES.			TOTAL PAYMENTS out of the Income, in its Progress to the Exchequer			PAYMENTS into the EXCHEQUER.			BALANCES and BILLS outstanding on 5th January, 1833.			TOTAL DISCHARGE of the INCOME.			Rate per cent for which the Gross Receipt was collected.		
£.	s.	d.	£.	s.	d.	£.	s.	d.	£.	s.	d.	£.	s.	d.	£.	s.	d.
1,590,164	7	7¾	274,104	0	0¼	1,235,108	18	8	80,951	8	11½	1,590,164	7	7¾	16	12	8¼
2,210,138	5	2½	232,439	1	4¾	1,953,816	1	3½	23,883	2	6¼	2,210,138	5	2½	8	12	2½
477,629	15	3¾	25,638	0	11¾	436,499	8	1	15,492	6	3	477,629	15	3¾	5	8	5
268,661	6	9¼	86,150	18	9½	138,000	0	0	44,510	7	11¾	268,661	6	9¼	35	10	0
3,779	16	1¾	-	-	-	3,779	16	1¾	-	-	-	3,779	16	1¾		—	
4,550,373	11	1	618,332	1	2¼	3,767,204	4	2¼	164,837	5	8½	4,550,373	11	1	12	9	7
27,141	3	1	-	-	-	27,141	3	1	-	-	-	27,141	3	1		—	
4,577,514	14	2	618,332	1	2¼	3,794,345	7	3¼	164,837	5	8½	4,577,514	14	2		—	

An Account of the TOTAL INCOME of the Revenue of Great Britain and Allowances, Discounts, Drawbacks, and Bounties of the nature of Drawbacks; Kingdom, exclusive of the Sums applied to the Re-

HEADS OF REVENUE.	NETT RECEIPT as stated in Account of Public Income.			——		
Ordinary Revenues.	£.	s.	d.	£.	s.	d
Balances and Bills outstanding on 5th January, 1832	-	-	-	1,873,504	1	0½
Customs	18,467,881	6	3			
Excise	17,943,600	16	7½			
Stamps (including Hackney Coach, and Hawkers' and Pedlars' Licenses)	7,119,892	3	4½			
Taxes, under the Management of the Commissioners of Taxes	5,333,686	7	10½			
Post Office	2,175,291	8	7½			
One Shilling in the Pound and Sixpence in the Pound on Pensions and Salaries, and Four Shillings in the Pound on Pensions	27,257	10	3			
Crown Lands	359,524	15	9			
Small Branches of the King's Hereditary Revenue	12,599	7	4			
Surplus Fees of Regulated Public Offices	31,232	13	11¼			
Poundage Fees, Pells' Fees, Casualties, and Treasury Fees in Ireland	3,779	16	1¾			
				51,474,746	6	2
				53,348,250	7	2½
Deduct Balances and Bills outstanding on 5th January, 1833				1,980,122	6	9¼
TOTAL Ordinary Revenue				51,368,128	0	5¼
Other Resources.	£.	s.	d.			
Money received from the East-India Company, on account of Retired Pay, Pensions, &c. of his Majesty's Forces serving in the East Indies, per Act 4 Geo. 4, c. 71	60,000	0	0			
Balance of the Hereditary Revenue of his late Majesty George the Fourth in Scotland	21,582	16	3			
Imprest Monies repaid by sundry Public Accountants, and other Monies paid to the Public	36,693	2	5			
Money received from the Bank of England on account of Unclaimed Dividends	36,683	6	2			
				154,959	4	10
				51,523,087	5	3¼
Balances in the hands of Receivers, &c. on 5th January, 1832				1,873,504	1	0½
Ditto on 5th January, 1833				1,980,122	6	9¼
Balances more in 1833 than in 1832				106,618	5	8¾
Surplus Income paid into the Exchequer over Expenditure issued thereout				614,758	18	8
Actual Excess of Income over Expenditure				721,377	4	4¾

Ireland, in the Year ended 5th January, 1833, after deducting the Repayments, together with an Account of the PUBLIC EXPENDITURE of the United duction of the National Debt within the same Period.

EXPENDITURE.	—			—		
PAYMENTS OUT OF THE INCOME in its progress to the Exchequer:	*£.*	*s.*	*d.*	*£.*	*s.*	*d.*
Charges of Collection	3,618,158	9	1			
Other Payments	916,173	5	7½			
Total Payments out of the Income, in its progress to the Exchequer				4,534,331	14	8½
FUNDED DEBT:						
Interest and Management of the Permanent Debt	24,333,966	3	9			
Terminable Annuities	3,330,620	1	2½			
Total Charge of the Funded Debt, exclusive of *£*.5,695 10*s.* 3*d.* the Interest on Donations and Bequests	27,664,586	4	11½			
UNFUNDED DEBT:						
Interest on Exchequer Bills	659,165	6	6			
				28,323,751	11	5½
Civil List	510,000	0	0			
Pensions	477,376	12	5½			
Salaries and Allowances	110,318	12	9			
Diplomatic Salaries and Pensions	40,927	3	7¾			
Courts of Justice	324,093	0	7¾			
Miscellaneous Charges on the Consolidated Fund	367,864	16	4½			
Mint Establishment	14,760	15	3			
Bounties granted for the encouragement of Hemp and Flax in Scotland, per Act 27 Geo. 3, c. 13, s. 65	2,956	13	8			
				1,848,297	14	9½
				34,706,381	0	11½
Army	7,129,873	15	11½			
Navy	4,882,835	8	0			
Ordnance	1,792,317	0	0			
Miscellaneous, chargeable upon the Annual Grants of Parliament	2,396,921	1	8¾			
				16,201,947	5	8¼
				50,908,328	6	7¼
Surplus of Income paid into the Exchequer over Expenditure issued thereout				614,758	18	8
				51,523,087	5	3¼

An Account of the Nett PUBLIC INCOME of the United Kingdom of GREAT
EXPENDITURE thereout, defrayed by the several Revenue Departments,
Sums applied to the Redemption of Funded, or for paying off Un-

INCOME.	Applicable to the Consolidated Fund.			Applicable to the Public Service.			Income paid into the Exchequer.		
ORDINARY REVENUES AND RECEIPTS.	£.	s.	d.	£.	s.	d.	£.	s.	d.
Customs	14,175,793	0	7	2,619,199	5	8½	16,794,992	6	3½
Excise	16,611,036	14	0	-	-	-	16,611,036	14	0
Stamps	6,951,843	11	6½	-	-	-	6,951,843	11	6½
Taxes	4,943,967	8	8¼	-	-	-	4,943,967	8	8¼
Post Office	1,461,000	0	0	-	-	-	1,461,000	0	0
One Shilling and Sixpence, and Four Shillings on Pensions and Salaries	26,782	4	6	-	-	-	26,782	4	6
Small Branches of the King's Hereditary Revenues	9,161	10	8	-	-	-	9,161	10	8
Surplus Fees of regulated Public Offices	31,232	13	11¼	-	-	-	31,232	13	11¼
Poundage Fees, Pells' Fees, &c. in Ireland	3,779	16	1¾	-	-	-	3,779	16	1¾
TOTAL Ordinary Revenue	44,214,597	0	0¾	2,619,199	5	8½	46,833,796	5	9¼
OTHER RECEIPTS.									
Imprest and other Monies	53,264	4	11	5,011	13	9	58,275	18	8
Monies received from the East-India Company	-	-	-	60,000	0	0	60,000	0	0
Money receeivd from the Bank of England, on account of Unclaimed Dividends	-	-	-	36,683	6	2	36,683	6	2
	44,267,861	4	11¾	2,720,894	5	7½	46,988,755	10	7¼

Britain and Ireland, in the Year ended 5th January, 1833, after abating the and of the Actual Issues or Payments within the same Period, exclusive of the funded Debt, and of the Advances and Repayments for Local Works, &c.

EXPENDITURE.				Nett Expenditure.		
FUNDED DEBT.	*£.*	*s.*	*d.*	*£.*	*s.*	*d.*
Interest and Management of the Permanent Debt	24,333,966	3	9			
Terminable Annuities	3,330,620	1	2½			
Total Charge of the Funded Debt, exclusive of 5,695*l.* 10*s.* 3*d.* the Interest on Donations and Bequests	27,664,586	4	11½			
UNFUNDED DEBT.						
Interest on Exchequer Bills	659,165	6	6	28,323,751	11	5½
Civil List	510,000	0	0			
Pensions	477,376	12	5½			
Salaries and Allowances	110,318	12	9			
Diplomatic Salaries and Pensions	40,927	3	7¾			
Courts of Justice	324,093	0	7¾			
Miscellaneous Charges on the Consolidated Fund	367,864	16	4½			
Mint Establishment	14,760	15	3			
Bounties granted for the encouragement of Hemp and Flax in Scotland, per Act 27 Geo. 3, c. 13, s. 65	2,956	13	8	1,848,297	14	9½
				30,172,049	6	3
Army	7,129,873	15	11½			
Navy	4,882,835	8	0			
Ordnance	1,792,317	0	0			
Miscellaneous, chargeable upon Annual Grants of Parliament	2,396,921	1	8¾	16,201,947	5	8¼
				46,373,996	11	11¼
Surplus of Income over Expenditure				614,758	18	8
				46,988,755	10	7¼

An Account of the BALANCES of PUBLIC MONEY remaining in the EXCHEQUER
or UNFUNDED DEBT, in the Year ended 5th January, 1833; the Money ap-
the Total Amount of Advances and Repayments on account
and the Balances in the Ex-

	£.	s.	d.	£.	s.	d.
Balances in the Exchequer on 5th January, 1832				3,833,689	16	9½
MONEY RAISED In the Year ended 5th January, 1833, by the creation of Unfunded Debt:						
Exchequer Bills per Act 1 & 2 Will. 4, c. 14	2,403,400	0	0			
Ditto - - - 2 Will. 4, c. 12	12,000,000	0	0			
Ditto - - - 2 & 3 Will. 4, c. 94	10,916,400	0	0			
Ditto - - - 1 & 2 Will. 4, c. 2	1,077,000	0	0			
Ditto - - - ditto c. 28	1,762,000	0	0			
Ditto - - - 2 & 3 Will. 4, c. 95, charged on Sugar Duty	1,500,000	0	0			
Ditto - - - 5 Geo. 4, c. 103, for building Churches.	60,000	0	0			
Ditto - - - 3 Geo. 4, c. 86, for Public Works	800	0	0			
Ditto - - - 1 & 2 Will. 4, c. 24, ditto	213,250	0	0			
Ditto - - - ditto c. 33 Public Works, Ireland	39,600	0	0			
				29,972,450	0	0
Exchequer Bills, per Act 11 Geo. 4, to pay off £.4 per cent Dissentients				10,915	9	4
Surplus of Income over Expenditure				614,758	18	8
				34,431,814	4	9½

on the 5th January, 1832; the amount of Money raised by the Additions to the FUNDED
plied towards the Redemption of the Funded, or paying off the Unfunded Debt;
of Local Works, &c. with the Difference accruing thereon;
chequer on 5th January, 1833.

ISSUED TO	£.	s.	d.	£.	s.	d.
The Commissioners for the Reduction of the National Debt, to be applied to the Redemption of Funded Debt:						
By Interest on Donations and Bequests				5,695	10	3
By the Bank of England, to pay off four per cent Dissentients, per Act 11 Geo. 4				10,915	9	4
Paymasters of Exchequer Bills for the Payment of Unfunded Debt				29,308,200	0	0
The Total Amount of Advances for the Employment of the Poor, and for Local Works, within the year	888,052	3	3¾			
Ditto - - - Repayments for ditto - - ditto	469,696	10	4½			
Excess of Advances over Repayments				418,355	12	11¼
By Balances in the Exchequer on 5th January, 1833				4,688,647	12	3¼
				34,431,814	4	9½

An Account of the Income of the CONSOLIDATED FUND arising in the United
on account of the CONSOLIDATED

	£.	s.	d.
The Total Income applicable to the Consolidated Fund	44,267,861	4	11¾
Add the Sum repaid to the Consolidated Fund on account of Advances for Public Works, &c.	297,327	16	3½
	44,565,189	1	3¼

An Account of the MONEY applicable to the Payment of the CONSOLIDATED
several CHARGES which have become due thereon, in the same year;
Fund, at the commencement and

	£.	s.	d.	£.	s.	d.
Income arising in Great Britain				40,527,768	7	7½
Income arising in Ireland	4,037,420	13	7¾			
Add the Sum paid out of the Consolidated Fund in Ireland, towards the Supplies, in the Quarter ended 5th January 1832	482,930	8	9½			
	4,520,351	2	5¼			
Deduct the Sum paid out of the Consolidated Fund in Ireland, towards the Supplies, in the Quarter ended 5th January, 1833	456,805	9	0¼			
				4,063,545	13	5
Total Sum applicable to the Charge of the Consolidated Fund, in the Year ended 5th January, 1833				44,591,314	1	0½
Exchequer Bills to be issued to complete the Payment of the Charge, to 5th day of January, 1833				5,001,137	16	9½
				49,592,451	17	10

Kingdom, in the Year ended 5th January, 1833; and also of the Actual Payments Fund within the same period.

HEADS OF PAYMENT.	£.	s.	d.
Dividends, Interest, Sinking Fund, and Management of the Public Funded Debt, 4 Quarters to 10th October, 1832	27,670,281	15	2½
Interest upon Exchequer Bills issued upon the Credit of the Consolidated Fund	81,845	5	2
Civil List, 4 Quarters to 31st December 1832	510,000	0	0
Pensions charged by Act of Parliament upon the Consolidated Fund, 4 Quarters to 10th October, 1832	477,376	12	5½
Salaries and Allowances - - - - - do. - - - -	110,318	12	9
Officers of the Courts of Justice - - - - do. - - - -	324,093	0	7¾
Diplomatic Salaries and Pensions - - - - do. - - - -	40,927	3	7¾
Expenses of the Mint - - - - - - do. - - - -	14,760	15	3
Bounties - - - - - - - - do. - - - -	2,956	13	8
Miscellaneous - - - - - - - do. - - - -	367,864	16	4½
Advances out of the Consolidated Fund in Ireland, for Public Works	634,402	3	3¾
	30,234,826	18	5¾
Surplus of the Consolidated Fund	14,330,362	2	9½
	44,565,189	1	3¼

FUND of the United Kingdom, in the Year ended 5th January, 1833, and of the including the Amount of Exchequer Bills charged upon the said at the termination of the Year.

HEADS OF CHARGE.	£.	s.	d.
Dividends, Interest, Sinking Fund, and Management of the Public Funded Debt, 4 Quarters to 5th January, 1833	27,783,881	10	4½
Interest on Exchequer Bills issued upon the credit of the Consolidated Fund	77,025	6	10
Civil List, 4 Quarters to 31st December 1832	510,000	0	0
Pensions charged by Act of Parliament upon the Consolidated Fund, 4 Quarters to 5th January, 1833	493,763	8	11½
Salaries and Allowances - - - - - - do. - - - -	114,861	1	2½
Officers of Courts of Justice - - - - - do. - - - -	349,269	15	7
Diplomatic Salaries and Pensions - - - - do. - - - -	152,632	10	0
Expenses of the Mint - - - - - - - do. - - - -	14,760	15	3
Bounties - - - - - - - - do. - - - -	2,956	13	8
Miscellaneous - - - - - - - - do. - - - -	220,286	4	4½
Advances out of the Consolidated Fund in Ireland, for Public Works	634,402	3	3¾
	30,353,839	9	6¾
Exchequer Bills issued to make good the charge of the Consolidated Fund, to 5th January, 1832	5,768,347	10	4¾
	36,122,186	19	11½
Surplus of the Consolidated Fund	13,470,264	17	10½
	49,592,451	17	10

An Account of the State of the PUBLIC FUNDED DEBT of GREAT BRI-

DEBT.

	1. CAPITALS.			2. CAPITALS transferred to the Commissioners.			3. CAPITALS UNREDEEMED.		
GREAT BRITAIN.	£.	s.	d.	£.	s.	d.	£.	s.	d.
Debt due to the South Sea Company - - } at £3. per cent	3,662,784	8	6½	-	-	-	3,662,784	8	6½
Old South Sea Annuities - do.	3,497,870	2	7	-		-	3,497,870	2	7
New South Sea Annuities - do.	2,460,830	2	10	-		-	2,460,830	2	10
South Sea Annuities, 1751 - do.	523,100	0	0	-	-	-	523,100	0	0
Debt due to the Bank of England do.	14,686,800	0	0	-	-	-	14,686,800	0	0
Bank Annuities, created in 1726 do.	875,394	0	0	444	1	0	874,949	19	0
Consolidated Annuities - - do.	348,175,477	3	9¼	716,545	16	9	347,458,931	7	0¼
Reduced Annuities - - - do.	123,799,076	2	2	769,162	16	11	123,029,913	5	3
TOTAL at £.3 per cent	497,681,331	19	10¾	1,486,152	14	8	496,195,179	5	2¾
Annuities - - at 3½ per cent, 1818...	12,351,055	17	2	254	1	1	12,350,801	16	1
Reduced Annuities - - do.	63,463,093	1	10	9,268	19	9	63,453,824	2	1
New 3½ per cent Annuities..................	137,721,933	18	9	8,113	11	7	137,613,820	7	2
Annuities created 1826, at 4 per cent ...	10,796,340	0	0	-	-	-	10,796,340	0	0
New 5 per cent Annuities	462,736	13	4	-	-	-	462,736	13	4
Great Britain	722,376,491	10	11¾	1,503,789	7	1	720,872,702	3	10¾
In IRELAND.									
Irish Consolidated £.3 per cent Annuities	2,803,780	12	4	-	-	-	2,803,780	12	4
Irish Reduced - - - do.	162,062	6	2	-	-	-	162,062	6	2
£.3½ per cent Debentures and Stock ...	14,605,670	3	11	-	-	-	14,605,670	3	11
Reduced £.3½ per cent Annuities,........	1,234,509	4	3	-	-	-	1,234,509	4	3
New 3½ per cent Annuities..................	11,784,394	14	0	-	-	-	11,784,394	14	0
Debt due to the Bank of Ireland at £.4 per cent .... }	1,615,384	12	4	-	-	-	1,615,384	12	4
New £.5 per cent Annuities................	6,661	1	0	-	-	-	6,661	1	0
Debt due to the Bank of Ireland at £.5 per cent .... }	1,015,384	12	4	-	-	-	1,015,384	12	4
Ireland	33,227,847	6	4	-	-	-	33,227,847	6	4
TOTAL United Kingdom ...	755,604,338	17	3¾	1,503,789	7	1	754,100,549	10	2¾

The Act 10 Geo. 4, c. 27, which came into operation at the 5th July, 1829, enacts, That the Sum thenceforth annually applicable to the Reduction of the National Debt of the United Kingdom shall be the Sum which shall appear to be the amount of the whole actual annual surplus Revenue, beyond the Expenditure of the said United Kingdom; and the following Sums have been accordingly received by the Commissioners, to be applied to the reduction of the said Debt, including Sums on account of Donations and Bequests, viz.:—

ON ACCOUNT OF

——	The Sinking Fund.			Donations and Bequests.		
Applicable between	£.	s.	d.	£.	s.	d.
5th April and 5th July, 1832..................................	—			—		
5th July and 10th October	-	-	-	3,873	12	2
10th October, 1832, and 5th January, 1833..................	-	-	-	130	6	0
5th January and 5th April	116,847	17	4	3,943	0	0
	116,847	17	4	7,946	18	2

TAIN and IRELAND, and the CHARGE thereupon, at the 5th January, 1833.

CHARGE.

—			IN GREAT BRITAIN.			IN IRELAND.			TOTAL ANNUAL CHARGE.		
			£.	s.	d.	£.	s.	d.	£.	s.	d.
Due to the Public Creditor.		Annual Interest on Unredeemed Capital	22,810,491	8	7½	1,171,553	0	11¾			
		Long Annuities, expire 1860	1,192,943	4	10	73	19	3			
		Annuities per 4 Geo. IV. c. 22, do. 1867	585,740	0	0	—					
		Annuities per 10 Geo. IV. c. 24, expire at various periods	870,998	2	0	—					
		Annuities to the Trustees of the Waterloo Subscription Fund per 59 Geo. III. c. 34, expire 5th July, 1833	7,900	0	0	—					
	Payable at the National Debt Office.	Life Annuities per 48 Geo. III. c. 148, and 10 Geo. IV. c. 24.	717,529	5	0	—					
		Tontines and other Life Annuities per various Acts. English	22,371	13	3	—					
		Tontines and other Life Annuities per various Acts. Irish	34,230	8	7	6,823	7	3			
			26,242,204	2	3½	1,178,450	7	5¾			
Annual Interest on Stock transferred to the Commissioners for the Reduction of the National Debt, towards the Redemption of Land Tax under Schedules C, D 1 & D 2, per 53 Geo. III, c. 123			11,245	10	0½	—					
Management			271,533	1	10¼	—					
TOTAL ANNUAL CHARGE			26,524,982	14	2¼	1,178,450	7	5¾	27,703,433	1	8

ABSTRACT.

(⁂ *Shillings and Pence omitted.*)

—	CAPITALS.	CAPITALS transferred to the Commissioners.	CAPITALS unredeemed.	ANNUAL CHARGE. Due to the Public Creditor.	ANNUAL CHARGE. MANAGEMENT.	ANNUAL CHARGE. TOTAL.
	£.	£.	£.	£.	£.	£.
Great Britain	722,376,491	1,503,789	720,872,702	26,253,449	271,533	26,524,982
Ireland	33,227,847	—	33,227,847	1,178,450	—	1,178,450
	755,604,338	* 1,503,789	754,100,549	27,431,899	271,533	27,703,433

	£.	s.	d.
* On account of Donations and Bequests	196,350	17	1
Do. of Stock unclaimed 10 years or upwards	228,188	1	1
Do. of Unclaimed Dividends.	704,400	0	0
	1,128,938	18	2
Do. of Land Tax, Schedules C. D 1; and D 2	374,850	8	11
Total Stock transferred to and standing in the Names of the Commissioners on the 5th January 1833	1,503,789	7	1

DEFERRED ANNUITIES OUTSTANDING:

	£.	s.	d.
Deferred Life Annuities, per 10 Geo. 4, c. 24	1,254	19	0
Deferred Annuities for terms of years, per do	20	0	0
Payable to the Trustees of the Waterloo Fund, per 59 Geo. 3, c. 34 in 1834	6,300	0	0
— 1835	4,000	0	0
— 1836	9,000	0	0
— 1837	2,900	0	0
	23,474	19	0

CLASS V.—UNFUNDED DEBT.

An Account of the UNFUNDED DEBT of GREAT BRITAIN and IRELAND, and of the Demands outstanding on 5th January, 1833.

—	PROVIDED.			UNPROVIDED.			TOTAL.		
	£.	s.	d.	£.	s.	d.	£.	s.	d.
Exchequer Bills, (exclusive of £39,450 and £1,582,000 issued for paying off £4 per cents)	-	-	-	26,170,650	0	0	26,170,650	0	0
Exchequer Bills outstanding, of the Amount issued per Act 11 Geo. 4, c. 26	-	-	-	1,582,000	0	0	1,582,000	0	0
				27,752,650	0	0	27,752,650	0	0
Sums remaining unpaid, charged upon Aids granted by Parliament	7,164,417	17	1¼	-	-	-	7,164,417	17	1¼
Advances made out of the Consolidated Fund in Ireland, towards the Supplies which are to be repaid to the Consolidated Fund out of the Ways and Means in Great Britain	456,805	9	0¼	-	-	-	456,805	9	0¼
TOTAL Unfunded Debt and Demands Outstanding	7,621,223	6	1½	27,752,650	0	0	35,373,873	6	1½
Ways and Means	7,623,097	16	2½	—			—		
SURPLUS Ways and Means	1,874	10	1	—			—		
Exchequer Bills to be issued to complete the Charge upon the Consolidated Fund at 5th January 1833	-	-	-	5,001,137	16	9½	5,001,137	16	9½

CLASS VI.—DISPOSITION OF GRANTS.

An Account showing how the MONIES given for the SERVICE of the United Kingdom of GREAT BRITAIN and IRELAND for the Three Months, from the 1st day of January to the 31st day of March 1832, and for the Year from the 1st day of April 1832 to the 31st day of March 1833, have been disposed of; distinguished under their several Heads; to 5th January 1833.

SERVICES.	SUMS Voted or Granted.			SUMS Paid.		
	£.	s.	d.	£.	s.	d.
NAVY	6,301,727	9	2	3,377,284	6	4
ORDNANCE	1,765,806	0	0	1,262,000	0	0
FORCES	8,965,425	8	7	5,442,199	3	4½
To defray the Charge for Civil Contingencies; for one quarter of a year from the 1st day of January to the 31st day of March 1832, and for one year to the 31st day of March 1833 ...	199,000	0	0	170,252	8	0
To defray the Charge for those Salaries of the Officers of the House of Lords and of the House of Commons, and of Pensions for retired Officers of the two Houses, which are paid at the Treasury, and also of the Amount which will be required in aid of the Fee Funds of the two Houses; for the year 1832 ...	44,514	0	0	44,514	0	0
To defray the Expenses of the House of Lords, and of the House of Commons; for one quarter to the 31st day of March 1832, and for one year to the 31st day of March 1833	15,300	0	0	15,300	0	0
To make good the Deficiency of the Fee Fund, in the Department of his Majesty's Treasury; for one quarter to the 31st day of March 1832, and for one year to the 31st day of March 1833...	38,200	0	0	26,430	0	0
To make good the Deficiency in the Fee Fund, in the Department of his Majesty's Home Secretary of State; for one quarter to the 31st day of March 1832, and for one year to the 31st day of March 1833	13,900	0	0	12,500	0	0
To make good the Deficiency in the Fee Fund, in the Department of his Majesty's Foreign Secretary of State; for one quarter to the 31st day of March 1832, and for one year to the 31st day of March 1833	16,895	0	0	15,000	0	0
To make good the Deficiency in the Fee Fund, in the Department of his Majesty's Secretary of State for the Colonies; for one quarter to the 31st day of March 1832, and for one year to the 31st day of March 1833	14,930	0	0	11,500	0	0
To make good the Deficiency of the Fee Fund, in the Department of his Majesty's most honourable Privy Council and Committee of Privy Council for Trade; for one quarter to the 31st day of March 1832, and for one year to the 31st day of March 1833...	17,504	0	0	5,418	17	8
To defray the Contingent Expenses and Messengers' Bills, in the Department of his Majesty's Treasury; for one quarter to the 31st day of March 1832, and for one year to the 31st day of March 1833	9,400	0	0	8,000	0	0
To defray the Contingent Expenses and Messengers' Bills, in the Department of his Majesty's Home Secretary of State; for one quarter to the 31st day of March 1832, and for one year to the 31st day of March 1833	8,460	0	0	7,123	16	0
To defray the Contingent Expenses and Messengers' Bills, in the Department of his Majesty's Foreign Secretary of State; for one quarter to the 31st day of March 1832, and for one year to the 31st day of March 1833	47,750	0	0	39,000	0	0
To defray the Contingent Expenses and Messengers' Bills, in the Department of his Majesty's Secretary of State for the Colonies; for one quarter to the 31st day of March 1832, and for one year to the 31st day of March 1833	5,055	0	0	3,000	0	0
To defray the Contingent Expenses and Messengers' Bills, in the Departments of his Majesty's most honourable Privy Council						

SERVICES—*continued.*	SUMS Voted or Granted.			SUMS Paid.		
	£.	s.	d.	£.	s.	d.
and Committee of Privy Council for Trade; for one quarter to the 31st day of March 1832, and for one year to the 31st day of March 1833	4,750	0	0	4,182	13	4
To defray the Expenses of Messengers attending the First Lord of the Treasury and Chancellor of the Exchequer, the four Patent Messengers of the Court of Exchequer, and various ancient Allowances to the Officers of that Court; for one quarter to the 31st day of March 1832, and for one year to the 31st day of March 1833	5,400	0	0	3,500	0	0
To pay the Salaries and Allowances granted to certain Professors in the Universities of Oxford and Cambridge, for reading Courses of Lectures; in the year 1832	958	5	0	958	5	0
To make good the Deficiency of the Fee Fund, in the Office of Registry of Colonial Slaves in Great Britain; for one quarter to the 31st day of March 1832, and for one year to the 31st day of March 1833	1,462	0	0	979	17	1
To defray the Expenses of the State Paper Office, the Office for the Custody of Records in the Tower, and the Office for the Custody of the Exchequer Records in the Chapter House, Westminster; for one quarter to the 31st day of March 1832, and for one year to the 31st day of March 1833	5,400	0	0	3,388	1	3
To defray, for one quarter to the 31st day of March 1832, and for one year to the 31st day of March 1833, the usual Allowances to Protestant Dissenting Ministers in England, poor French Refugee Clergy, poor French Refugee Laity, and sundry small charitable and other Allowances to the Poor of Saint Martin-in-the-Fields, and others	5,150	0	0	3,081	15	3
To defray the Expense of printing Acts, Bills, Reports, and other Papers for the two Houses of Parliament; for the year 1832...	56,000	0	0	20,883	16	4
To defray the Extraordinary Expenses of the Mint, in the Coinage of Gold; for one quarter to the 31st day of March 1832, and for one year to the 31st day of March 1833	4,500	0	0	2,000	0	0
To defray the Extraordinary Expenses that may be incurred for Prosecutions for Offences against the Laws relating to Coin; for one quarter to the 31st day of March 1832, and for one year to the 31st day of March 1833	10,000	0	0	8,000	0	0
To defray the Expense of Law Charges; for one quarter to the 31st day of March 1832, and for one year to the 31st day of March 1833	18,750	0	0	15,000	0	0
To complete the Charge for Civil Contingencies; for the year 1832	1,000	0	0	—		
The following SERVICES are directed to be paid without any Fee or other Deductions whatsoever:						
For defraying the CHARGE of the CIVIL ESTABLISHMENTS under-mentioned; viz.						
Of the Bahama Islands, and the incidental Charges attending the same; for one quarter to the 31st day of March 1832, and for one year to the 31st day of March 1833	4,973	4	0	3,150	0	0
Of Nova Scotia; from the 1st day of January 1832 to the 31st day of March 1833	800	0	0	—		
Of the Island of Bermuda; for one quarter to the 31st day of March 1832, and for one year to the 31st day of March 1833...	5,624	11	8	—		
Of Prince Edward's Island, for one quarter to the 31st day of March 1832, and for one year to the 31st day of March 1833...	4,025	0	0	2,000	0	0
Of the Island of Newfoundland; for one quarter to the 31st day of March 1832, and for one year to the 31st day of March 1833	16,576	5	0	7,000	0	0
Of the Settlements in Western Africa; for one quarter to the 31st day of March 1832, and for one year to the 31st day of March 1833	43,043	7	1	5,000	0	0
To defray the Charge of the Ecclesiastical Establishment of the British North American Provinces, and of the Society for the Propagation of the Gospel in certain of his Majesty's Colonies; for one quarter to the 31st day of March 1832, and for one year to the 31st day of March 1833	27,438	13	1	13,750	0	0

SERVICES—*continued.*	SUMS Voted or Granted.			SUMS Paid.		
	£.	*s.*	*d.*	*£.*	*s.*	*d.*
To defray the Charges of the Settlement in Western Australia; for one quarter to the 31st day of March 1832, and for one year to the 31st day of March 1833	13,456	9	5	10,000	0	0
To defray the Charge of the Establishment of the Indian Department in Upper and Lower Canada; for one quarter to the 31st day of March 1832, and for one year to the 31st day of March 1833	25,000	0	0	—		
For the Relief of certain of his Majesty's Subjects in the Islands of Barbadoes, Saint Vincent, and Saint Lucia, who have suffered from a Hurricane	100,000	0	0	100,000	0	0
To defray the estimated Expenditure of the British Museum; for the year ending at Christmas 1832	16,922	0	0	16,922	0	0
To defray, for one quarter to the 31st day of March 1832, and for one year to the 31st day of March 1833, the Expense of Works and Repairs of Public Buildings, and for Furniture and other Charges of Public Buildings, and the Furniture and other Charges of Public Offices and Departments, and for the Repairs and Alterations of Royal Palaces, and Works in the Royal Gardens, heretofore charged upon the Civil List; and for the Repairs of the Royal Palace of Holyrood House, and certain Public Buildings in Scotland, heretofore charged on the Hereditary Revenue in Scotland	70,800	0	0	14,000	0	0
To defray, in the year 1832, the Expense of completing certain Alterations and Additions to his Majesty's Palace at Brighton .	7,875	0	0	7,875	0	0
To defray the Expense of Works at Port Patrick Harbour; for one quarter to the 31st day of March 1832, and for one year to the 31st day of March 1833	5,668	0	0	5,668	0	0
To defray the Expense of Works at Donaghadee Harbour; for one quarter to the 31st day of March 1832, and for one year to the 31st day of March 1833	5,000	0	0	5,000	0	0
To defray the Expenses of the Holyhead and Howth Roads and Harbours; for the year 1832	3,913	0	0	3,913	0	0
To defray the Expense of the new Buildings at the British Museum; for one quarter to the 31st day of March 1832, and for one year to the 31st day of March 1833	10,000	0	0	—		
To defray the Expense of Repairs and Alterations at Windsor Castle; for one quarter to the 31st day of March 1832, and for one year to the 31st day of March 1833	50,000	0	0	—		
To defray the Expenses of erecting the State Paper Office; for one quarter to the 31st day of March 1832, and for one year to the 31st day of March 1833	9,500	0	0	683	15	5
To defray the Expense of Works at the College of Edinburgh; in the year 1832	6,000	0	0	6,000	0	0
To defray the Charge of the Salary of the Lord Privy Seal; for one year to the 31st day of March 1833	2,000	0	0	1,000	0	0
To pay the Salaries of the Commissioners of the Insolvent Debtors Court, of their Clerks, and the contingent Expenses of their Office, and also the Expenses attendant upon their Circuits; for one quarter to the 31st day of March 1832, and for one year to the 31st day of March 1833	13,680	0	0	4,720	14	2
To pay the Salaries of the Officers and the contingent Expenses of the Office for the Superintendence of Aliens; for one quarter to the 31st day of March 1832, and for one year to the 31st day of March 1833	2,092	0	0	1,673	16	0
To defray the Expense of the Penitentiary at Milbank; for one quarter to the 31st day of March 1832, and for one year to the 31st day of March 1833	24,287	0	0	10,000	0	0
To defray the Charge of retired Allowances or Superannuations to Persons formerly employed in the Public Offices or Departments, or in the Public Service; for one quarter to the 31st day of March 1832, and for one year to the 31st day of March 1833	66,151	0	0	41,232	9	5¼
To grant Relief, for one quarter to the 31st day of March 1832, and for one year to the 31st day of March 1833, to Toulonese and Corsican Emigrants, Dutch Naval Officers, Saint Domingo Sufferers, American Loyalists, and others who have heretofore received Allowances from his Majesty, and who, from Services						

SERVICE—*continued.*	SUMS Voted or Granted.			SUMS Paid.		
	£.	s.	d.	£.	s.	d.
performed, or Losses sustained in the British Service, have special claims upon his Majesty's Justice and Liberality ...	16,000	0	0	8,703	3	9
To defray the Expense of the National Vaccine Establishment; for the year 1832	2,200	0	0	2,200	0	0
For the support of the Institution called "The Refuge for the Destitute;" for the year 1832	3,000	0	0	3,000	0	0
To defray the Expense of confining and maintaining Criminal Lunatics; for one quarter to the 31st day of March 1832, and for one year to the 31st day of March 1833	3,682	0	0	2,536	16	8
For his Majesty's Foreign and other Secret Services; for one quarter to the 31st day of March 1832, and for one year to the 31st day of March 1833	44,325	0	0	20,000	0	0
To defray the Expense of providing Stationery, Printing and Binding for the several Departments of Government in England and Ireland, from the 1st day of April 1832 to the 31st day of March 1833; and also for providing Paper for the Printing which may be ordered in Session 1833 for the two Houses of Parliament, and also for the Charge of the Stationery Office ...	99,500	0	0	50,000	0	0
To defray the Expense attending the confining, maintaining, and employing Convicts at Home and in Bermuda; for one quarter to the 31st day of March 1832, and for one year to the 31st day of March 1833	119,860	0	0	119,860	0	0
To defray the Expenses incurred for the support of captured Negroes and liberated Africans, under the several Acts for the Abolition of the Slave Trade; for one quarter to the 31st day of March 1832, and for one year to the 31st day of March 1833	31,250	0	0	—		
To pay, for one quarter to the 31st day of March 1832, and for one year to the 31st day of March 1833, the Salaries and incidental Expenses of the Commissioners appointed on the part of his Majesty, under the Treaties with Spain, Portugal, and the Netherlands, for preventing the illegal traffic in Slaves ...	8,519	0	0	—		
To pay, for one quarter to the 31st day of March 1832, and for one year to the 31st day of March 1833, the Salaries of his Majesty's Consuls General, Consuls and Vice Consuls; and also the contingent Charges and Expenses connected with the Public Duties and Establishments of such Consuls General, Consuls and Vice Consuls	105,638	15	0	65,129	7	2¼
To defray, for one quarter to the 31st day of March 1832, and for one year to the 31st day of March 1833, the Charge of maintaining Convicts at New South Wales and Van Diemen's Land.	172,236	0	0	—		
To defray the Expense, in the year 1832, of paying the Fees due and payable to the Officers of the Parliament on all Bills for continuing or amending any Acts for making or maintaining, keeping in repair or improving Turnpike Roads, which shall pass the two Houses of Parliament, and receive the Royal Assent	10,400	0	0	6,818	17	6
To defray, for one quarter to the 31st day of March 1832, and for one year to the 31st day of March 1833, the Charge for the Salaries of the Commissioners for inquiring into Charities, the Salaries of their Secretary and Clerks, and their contingent Expenses	19,500	0	0	17,037	10	0
To defray the Expenses of the Commissioners appointed to inquire into the Practice and Proceedings of the superior Courts of Common Law, and into the Law of England respecting Real Property; for the year 1832	15,000	0	0	14,939	7	2
To defray the Expenses incurred under the Direction and Management of the Commissioners of Records; for one year to the 31st day of March 1833	10,000	0	0	10,000	0	0
To make Payment to the Representatives of the late Mr. Shelton of the Amount awarded to them on account of Expenses incurred by him in preparing Contracts and Securities relative to the Transportation of Convicts to New South Wales and Van Diemen's Land; from the year 1789 to the year 1829 ...	15,700	0	0	15,700	0	0
To defray the Charge of paying to Claimants for Losses suffered by them in consequence of the occupation of Saint Domingo by the British Troops from 1793, the Sums which have been						

SERVICES—*continued.*	SUMS Voted or Granted.			SUMS Paid.		
	£.	s.	d.	£.	s.	d.
awarded to them by a Committee of the Board of Treasury, appointed for that purpose	15,716	13	9	—		
To defray the Expense of the Erection of a National Gallery and Record Office; for one year to the 31st day of March 1833	15,000	0	0	—		
To make Compensation to William Smith Boyd, for Losses sustained by him in consequence of the seizure of the Ship "Almorah" at New South Wales, in 1825	5,000	0	0	5,000	0	0
To defray the Charge, for one quarter to the 31st day of March 1832, and for one year to the 31st day of March 1833, of improving the Water Communication in Canada	62,500	0	0	62,500	0	0
To defray the Charge of the Maintenance and Repair of the Rideau Canal, and for the Management of the Locks; for one year to the 31st day of March 1833	18,800	0	0	—		
To defray, for one year, from the 1st day of April 1832 to the 31st day of March 1833, the Charge of Salaries to Governors, Lieutenant Governors, and others, in his Majesty's West India Colonies, formerly charged upon the Four-and-Half per Cent Duties, or paid from Civil Contingencies	11,486	0	0	3,842	11	7
To defray, for one quarter to the 31st day of March 1832, and for one year to the 31st day of March 1833, certain Charges in Scotland, heretofore paid out of the Hereditary Revenue	78,000	0	0	25,988	14	7½
To provide for the Payment of certain Salaries, Allowances, Pensions and Services, heretofore paid out of the Civil List of England and Ireland, the Hereditary Revenues of the Crown in Scotland, and the Four-and-Half per Cent Duty; but for which no provision has been made in the Civil List of his present Majesty, from the period to which the said Services were severally last paid to the 5th day of April 1832	195,000	0	0	194,271	4	6½
For defraying the CHARGE of the following SERVICES in IRELAND, which are directed to be paid Nett in British Currency:						
To defray the Expense of the Foundling Hospital in Dublin; for one quarter to the 31st day of March 1832, and for one year to the 31st day of March 1833	30,892	0	0	20,000	0	0
To defray the Expense of the House of Industry in Dublin, the Lunatic Department and the Three General Hospitals attached; for one quarter to the 31st day of March 1832, and for one year to the 31st day of March 1833	22,298	0	0	15,000	0	0
To defray the Expense of the Richmond Lunatic Asylum; for the same time	1,735	0	0	1,388	0	0
To defray the Expense of the Hibernian Marine Society; for the same time	1,046	0	0	950	0	0
To defray the Expense of the Female Orphan House; for the same time	1,354	0	0	1,000	0	0
To defray the Expense of the Westmoreland Lock Hospital; for the same time	3,500	0	0	2,800	0	0
To defray the Expense of the Lying-in-Hospital; for the same time	1,423	0	0	—		
To defray the Expense of Dr. Steeven's Hospital; for the same time	1,962	0	0	1,570	0	0
To defray the Expense of the Fever Hospital and House of Recovery, Cork-street, Dublin; for the same time	4,825	0	0	3,860	0	0
To defray the Expense of the Hospital for Incurables; for the same time	625	0	0	500	0	0
To defray the Expense of the Royal Dublin Society; for the same time	6,625	0	0	5,300	0	0
To defray the Expense of the Royal Irish Academy; for the same time	375	0	0	300	0	0
To defray the Expense of the Belfast Academical Institution; for the same time	1,875	0	0	1,500	0	0
To enable the Lord Lieutenant of Ireland to issue Money in aid of Schools, and for the Advancement of Education; for the same time	37,500	0	0	7,000	0	0
To defray the Expense of the Protestant Charter Schools of Ireland; for the same time	3,750	0	0	3,750	0	0

SERVICES—*continued.*	SUMS Voted or Granted. £.	s.	d.	SUMS Paid. £.	s.	d.
To defray the Expense of the Roman Catholic College at Maynooth; for one quarter to the 31st day of March 1832, and for one year to the 31st day of March 1833	11,160	0	0	6,696	0	0
To defray the Expense of the Board of Charitable Bequests and Donations; for the same time	875	0	0	700	0	0
To defray the Expense of the Board of Works; for the same time	14,800	0	0	5,000	0	0
To pay the Salaries and Expenses of the Offices of the Chief and Under Secretaries to the Lord Lieutenant of Ireland, of the Privy Council Office, and of his Majesty's Printer in Ireland; for the same time	28,716	0	10½	21,490	9	3½
To defray the Charge of Salaries for the Officers and Attendants of the Household of the Lord Lieutenant of Ireland, and certain other Officers and Services, formerly charged on the Civil List in Ireland; for the same time	17,677	0	0	10,349	4	2¼
To defray the Charge of the Office of the Vice Treasurer and Teller of the Exchequer in Ireland; for the same time ...	8,807	18	0	6,676	5	1
To defray the Expense of Printing and Publishing Proclamations and other Matters of a Public Nature, in the Dublin Gazette in Ireland, and of Printing Statutes in Ireland; for the same time.	5,125	0	0	4,510	4	11
To defray the Expense of Criminal Prosecutions and other Law Expenses in Ireland; for the same time	72,500	0	0	63,442	19	9
To defray the Expense of Non-conforming, Seceding, and Protestant Dissenting Ministers in Ireland; for the same time ...	30,280	5	0	18,311	15	1
To defray the Expenses of the Police and Watch Establishments of the City of Dublin; for the same time	24,937	0	0	8,312	6	8
To defray the Expense of the Salaries of the Commissioners of Public Works in Ireland, and of certain Contingencies connected therewith; for the same time	4,454	4	3½	3,354	4	3½
To defray the Expense of Works and Repairs at Dunmore Harbour, in the year 1832	7,500	0	0	2,500	0	0
To enable his Majesty to purchase the several Commissions and Appointments in the Battle Axe Guards of Dublin	26,668	10	0	18,785	0	0
To pay the annual Compensation, for one year, awarded to Sir Abraham Bradley King, late King's Stationer in Ireland, for Losses sustained by him by reason of the Revocation of the Patent	2,500	0	0	2,500	0	0
	19,566,161	19	11	11,626,159	16	11¼
To pay off and discharge Exchequer Bills, and that the same may be issued and applied towards paying off and discharging Exchequer Bills charged on the Aids or Supplies of the years 1831 or 1832, now remaining unpaid and unprovided for ... 25,616,400 0 0						
To pay off and discharge Exchequer Bills issued pursuant to several Acts for carrying on Public Works and Fisheries, and for building additional Churches, outstanding and unprovided for 280,200 0 0	25,896,600	0	0	24,293,450	0	0
	45,462,761	19	11	35,919,609	16	11¼

PAYMENTS FOR OTHER SERVICES,

Not being part of the Supplies granted for the Service of the Year.

—	Sums Paid to 5th January 1833.			Estimated further Payments.		
	£.	s.	d.	£.	s.	d.
Grosvenor, Charles Bedford, Esq. on his Salary, for additional trouble in preparing Exchequer Bills, pursuant to Act 48 Geo. 3, c. 1	200	0	0	50	0	0
Expenses in the Office of the Commissioners for issuing Exchequer Bills, pursuant to Acts 57 Geo. 3, c. 34 and 124, and 3 Geo. 4, c. 86	2,000	0	0			
Expenses in the Office of the Commissioners for building additional Churches, pursuant to Act 58 Geo. 3, c. 45	3,000	0	0			
By Interest on Exchequer Bills:						
On £.13,438,800, per Act 10 Geo. 4, c. 60	33,697	8	10	154,679	18	8
12,000,000 - - 1 Will. 4, c. 11, Sess. 2 ...	250,000	0	0			
13,616,400 - - 1 & 2 Will. 4, c. 14	280,000	0	0			
12,000,000 - - 11 Geo. 4, c. 60	13,622	12	6			
Expenses of the Commissioners for building Churches in Scotland	983	16	4			
	583,503	17	8	154,729 583,503	18 17	8 8
Total Services not voted				738,233	16	4
Amount of Sums voted				45,462,761	19	11
Total Sums voted, and Payments for Services not voted ...				46,200,995	16	3

WAYS AND MEANS

for answering the foregoing Services:

		£.	s.	d.
Sums to be brought from the Consolidated Fund, per Act 2 Will. 4, c. 30		3,000,000	0	0
- - - - - Ditto - - - - - - - - - - - - - - - 55 ...		4,000,000	0	0
- - - - - Ditto - - - - - - - - 2 & 3 Will. 4, c. 126		8,450,000	0	0
East India Company, per Act 2 Will. 4, c. 60		60,000	0	0
Repayment by the Commissioners for issuing Exchequer Bills for carrying on Public Works and Fisheries in the United Kingdom		154,868	14	1
Duty on Sugar, per Act 2 Will. 4, c. 22		1,500,000	0	0
- - Ditto - - - 2 & 3 Will. 4, c. 95		1,500,000	0	0
Interest on Land-tax redeemed by Money		11	17	8¾
Unclaimed Dividends, after deducting Repayments to the Bank of England for deficiency of Balance in their hands		36,683	6	2
Surplus of Ways and Means, per Act 2 Will. 4, c. 60		1,471,333	2	9¾
		20,172,897	0	9½
Exchequer Bills voted in Ways and Means; viz.				
2 Will. 4, c. 12	£.12,000,000 0 0			
2 & 3 Will. 4, c. 94	13,896,600 0 0	25,896,600	0	0
TOTAL Ways and Means		46,069,497	0	9½
TOTAL Grants and Payments for Services not voted		46,200,995	16	3
Deficiency Ways and Means		131,498	15	5½

CLASS VII.—ARREARS AND BALANCES.

It is not considered necessary to print this Class of Accounts.

CLASS VIII.—TRADE OF THE UNITED KINGDOM.

An Account of the VALUE of IMPORTS into, and of EXPORTS from the United Kingdom of GREAT BRITAIN and IRELAND:—Also, the Amount of the Produce and Manufactures of the United Kingdom Exported therefrom, according to the Real or Declared Value thereof.

YEARS ending 5th January.	VALUE OF IMPORTS into the United Kingdom, calculated at the Official Rates of Valuation.			VALUE OF EXPORTS FROM THE UNITED KINGDOM, calculated at the Official Rates of Valuation.									VALUE of the Produce and Manufactures of the United Kingdom Exported therefrom, according to the Real or Declared Value thereof.		
				Produce and Manufactures of the United Kingdom.			Foreign and Colonial Merchandize.			TOTAL EXPORTS.					
	£.	s.	d.	£.	s.	d.	£.	s.	d.	£.	s.	d.	£.	s.	d.
1831....	46,245,241	6	6	61,140,864	15	10	8,550,437	15	9	69,691,302	11	7	38,251,502	10	3
1832....	49,713,889	11	6	60,683,933	8	4	10,745,071	11	3	71,429,004	19	7	37,163,647	13	10
1833....	44,586,241	15	0	65,026,702	11	0	11,044,869	17	0	76,071,572	8	0	36,444,524	18	7

NAVIGATION OF THE UNITED KINGDOM.

New Vessels Built.—An Account of the Number of Vessels, with the Amount of their Tonnage, that were Built and Registered in the several Ports of the British Empire, in the Years ending 5th January, 1831, 1832, and 1833, respectively.

—	In the Years ending the 5th January,					
	1831.		1832.		1833.	
	Vessels.	Tonnage.	Vessels.	Tonnage.	Vessels.	Tonnage.
United Kingdom	730	75,532	742	83,852	731	90,000
Isles of Guernsey, Jersey, and Man	20	1,879	18	1,855	26	2,735
British Plantations	367	32,719	376	34,290	221	25,470
Total	1,117	110,130	1,136	119,997	978	118,205

Note.—The Account rendered for the Plantations for the year ending 5th January 1832, is now corrected; and as several Returns from the Plantations are not yet received for the last year, a similar correction will be necessary when the next Account is made up.

Vessels Registered.—An Account of the Number of Vessels, with the Amount of their Tonnage and the Number of Men and Boys usually employed in Navigating the same, that belonged to the several Ports of the British Empire, on the 31st December 1830, 1831, and 1832, respectively.

—	On 31st Dec. 1830.			On 31st Dec. 1831.			On 31st Dec. 1832.		
	Vessels.	Tons.	Men.	Vessels.	Tons.	Men.	Vessels.	Tons.	Men.
United Kingdom	18,675	2,168,916	130,000	18,942	2,190,457	132,200	19,143	2,225,980	134,588
Isles of Guernsey, Jersey, and Man	499	32,676	3,649	508	33,899	3,816	521	35,880	3,844
British Plantations	4,547	330,227	21,163	4,792	357,608	22,406	4,771	356,208	23,202
Total	23,721	2,531,819	154,812	24,242	2,581,964	158,422	24,435	2,618,068	161,634

NAVIGATION OF THE UNITED KINGDOM—*continued.*

Vessels Employed in the Foreign Trade.—An Account of the Number of Vessels, with the Amount of their Tonnage, and the Number of Men and Boys employed in Navigating the same (including their repeated Voyages), that entered Inwards and cleared Outwards, at the several Ports of the United Kingdom, from and to Foreign Parts, during each of the Three Years ending 5th January, 1833.

SHIPPING ENTERED INWARDS IN THE UNITED KINGDOM

From Foreign Parts.

Years ending 5th Jan.	BRITISH AND IRISH VESSELS.			FOREIGN VESSELS.			TOTAL.		
	Vessels.	Tons.	Men.	Vessels.	Tons.	Men.	Vessels.	Tons.	Men.
1831	13,548	2,180,042	122,103	5,359	758,828	41,670	18,907	2,938,870	163,773
1832	14,488	2,367,322	131,627	6,085	874,605	47,453	20,573	3,241,927	179,080
1833	13,372	2,185,980	122,594	4,546	639,979	35,399	17,918	2,825,959	157,993

SHIPPING CLEARED OUTWARDS FROM THE UNITED KINGDOM

To Foreign Parts.

Years ending 5th Jan.	BRITISH AND IRISH VESSELS.			FOREIGN VESSELS.			TOTAL.		
	Vessels.	Tons.	Men.	Vessels.	Tons.	Men.	Vessels.	Tons.	Men.
1831	12,747	2,102,147	122,025	5,158	758,368	39,769	17,905	2,860,515	161,794
1832	13,791	2,300,731	132,004	5,927	896,051	47,009	19,718	3,196,782	179,013
1833	13,292	2,229,269	128,293	4,391	651,223	34,834	17,683	2,880,492	163,127

NAVIGATION OF GREAT BRITAIN.

New Vessels Built.—An Account of the Number of Vessels, with the Amount of their Tonnage, that were Built and Registered in the several Ports of the British Empire (except Ireland), in the Years ending 5th January, 1831, 1832, and 1833, respectively.

—	In the Years ending the 5th January,					
	1831.		1832.		1833.	
	Vessels.	Tonnage.	Vessels.	Tonnage.	Vessels.	Tonnage.
England	529	60,276	555	67,973	550	71,036
Scotland	156	12,692	148	13,454	156	17,055
Isle of Guernsey	3	439	—	—	3	451
— Jersey	7	896	4	623	9	1,465
— Man	10	544	14	1,232	14	819
British Plantations	367	32,719	376	34,290	221	25,470
Total, (exclusive of Ireland)	1072	107,566	1,097	117,572	953	116,296

Note.—The Account rendered for the Plantations (for the Year ending 5th January, 1832) is now corrected; and as several Returns from the Plantations are not yet received for the last Year, a similar correction will be necessary when the next Account is made up.

Vessels Registered.—An Account of the Number of Vessels, with the Amount of their Tonnage, and the Number of Men and Boys usually employed in Navigating the same, that belonged to the several Ports of the British Empire (except Ireland) on the 31st December, 1830, 1831, and 1832 respectively.

—	On 31st Dec. 1830.			On 31st Dec. 1831.			On 31st Dec. 1832.		
	Vessels.	Tonnage.	Men.	Vessels.	Tonnage.	Men.	Vessels.	Tonnage.	Men.
England	14,092	1,767,011	100,357	14,281	1,780,252	101,937	14,421	1,807,487	103,749
Scotland	3,159	300,085	21,849	3,214	303,631	22,219	3,266	310,365	22,611
Isle of Guernsey	77	8,096	593	75	7,906	578	80	9,158	647
— Jersey	205	18,601	1,754	212	19,700	1,907	216	20,250	1,895
— Man	217	5,979	1,302	221	6,293	1,331	225	6,472	1,302
British Plantations	4,547	330,227	21,163	4,792	357,608	22,406	4,771	356,208	23,202
Total	22,297	2,429,999	147,018	22,795	2,475,390	150,378	22,979	2,509,940	153,406

NAVIGATION OF IRELAND.

New Vessels Built.—An Account of the Number of Vessels, with the Amount of their Tonnage, that were Built and Registered in the several Ports of Ireland, in the Years ending 5th January, 1831, 1832, and 1833, respectively.

—	Vessels.	Tonnage.
Year ending 5th January 1831	45	2,564
— 1832	39	2,425
— 1833	25	1,909

Vessels Registered.—An Account of the Number of Vessels, with the Amount of their Tonnage, and the Number of Men and Boys usually employed in Navigating the same, that belonged to the several Ports of Ireland, on the 31st December, 1830, 1831, and 1832, respectively.

—	Vessels.	Tons.	Men.
On the 31st December 1830	1,424	101,820	7,794
— 1831	1,447	106,574	8,044
— 1832	1,456	108,128	8,228

NAVIGATION OF GREAT BRITAIN.

Vessels employed in the Foreign Trade.—An Account of the Number of Ves-
ployed in Navigating the same, (including their repeated Voyages,) that entered
to all Parts of the World, during each of the Three Years ending 5th January,
, cleared Outwards, during the same Period,

SHIPPING ENTERED INWARDS IN GREAT BRITAIN

From all Parts of the World.

Years ending 5th Jan.	BRITISH AND IRISH VESSELS.			FOREIGN VESSELS.			TOTAL.		
	Vessels.	Tons.	Men.	Vessels.	Tons.	Men.	Vessels.	Tons.	Men.
1831	23,086	3,088,498	188,538	5,212	736,297	40,262	28,298	3,824,795	228,800
1832	24,109	3,294,631	198,902	5,910	847,320	45,865	30,019	4,141,951	244,767
1833	23,295	3,141,272	189,443	4,435	622,328	34,412	27,730	3,763,600	223,855

SHIPPING CLEARED OUTWARDS FROM GREAT BRITAIN,

To all Parts of the World.

	Vessels.	Tons.	Men.	Vessels.	Tons.	Men.	Vessels.	Tons.	Men.
1831	25,338	3,234,707	194,862	5,021	736,207	38,486	30,359	3,970,914	233,348
1832	26,336	3,421,251	204,957	5,768	869,856	45,518	32,104	4,291,107	250,475
1833	27,407	3,517,409	212,326	4,309	638,345	34,108	31,716	4,155,754	246,434

NAVIGATION OF GREAT BRITAIN—*continued.*

SELS, with the Amount of their TONNAGE, and the Number of MEN and BOYS em-
Inwards and cleared Outwards at the several Ports of GREAT BRITAIN, from and
1833:—Also, showing the Number and Tonnage of Shipping entered Inwards and
exclusive of the Intercourse with Ireland.

SHIPPING ENTERED INWARDS IN GREAT BRITAIN,

From all Parts (except Ireland.)

Years ending 5th Jan.	BRITISH AND IRISH VESSELS.			FOREIGN VESSELS.			TOTAL.		
	Vessels.	Tons.	Men.	Vessels.	Tons.	Men.	Vessels.	Tons.	Men.
1831	12,727	2,036,091	114,201	5,212	736,297	40,262	17,939	2,772,388	154,463
1832	13,748	2,236,446	124,681	5,910	847,320	45,865	19,658	3,083,766	170,546
1833	12,549	2,029,046	114,367	4,435	622,328	34,412	16,984	2,651,374	148,779

SHIPPING CLEARED OUTWARDS FROM GREAT BRITAIN,

To all Parts (except Ireland.)

	Vessels.	Tons.	Men.	Vessels.	Tons.	Men.	Vessels.	Tons.	Men.
1831	12,194	1,989,060	115,900	5,021	736,207	38,486	17,215	2,725,267	154,386
1832	13,178	2,174,509	125,389	5,768	869,856	45,518	18,946	3,044,365	170,907
1833	12,713	2,099,876	121,739	4,309	638,345	34,108	17,022	2,738,221	155,847

NAVIGATION OF IRELAND.

Vessels employed in the Foreign Trade.—An Account of the Number of Vessels, with the Amount of their Tonnage, and the Number of Men and Boys employed in Navigating the same (including their repeated Voyages), that entered Inwards and cleared Outwards at the several Ports of Ireland, from and to all Parts of the World, during each of the Three Years ending 5th January 1833:—Also, showing the Number and Tonnage of Shipping entered Inwards and cleared Outwards, during the same period, exclusive of the Intercourse with Great Britain.

SHIPPING ENTERED INWARDS IN IRELAND,

From all Parts of the World.

Years ending 5th Jan.	BRITISH AND IRISH VESSELS.			FOREIGN VESSELS.			TOTAL.		
	Vessels.	Tons.	Men.	Vessels.	Tons.	Men.	Vessels.	Tons.	Men.
1831	14,160	1,385,452	85,544	147	22,531	1,408	14,307	1,407,983	86,952
1832	14,324	1,393,097	84,856	175	27,285	1,588	14,499	1,420,382	86,444
1833	15,595	1,541,832	91,395	111	17,651	987	15,706	1,559,483	92,382

SHIPPING CLEARED OUTWARDS FROM IRELAND,

To all Parts of the World.

	Vessels.	Tons.	Men.	Vessels.	Tons.	Men.	Vessels.	Tons.	Men.
1831	9,008	994,052	66,854	137	22,161	1,283	9,145	1,016,213	68,137
1832	9,642	1,047,350	70,226	159	26,195	1,491	9,801	1,073,545	71,717
1833	9,953	1,099,874	70,333	82	12,878	726	10,035	1,112,752	71,059

SHIPPING ENTERED INWARDS IN IRELAND,

From all Parts (except Great Britain).

	Vessels.	Tons.	Men.	Vessels.	Tons.	Men.	Vessels.	Tons.	Men.
1831	821	143,951	7,902	147	22,531	1,408	968	166,482	9,310
1832	740	130,876	6,946	175	27,285	1,588	915	158,161	8,534
1833	823	156,934	8,227	111	17,651	987	934	174,585	9,214

SHIPPING CLEARED OUTWARDS FROM IRELAND,

To all Parts (except Great Britain).

	Vessels.	Tons.	Men.	Vessels.	Tons.	Men.	Vessels.	Tons.	Men.
1831	553	113,087	6,125	137	22,161	1,283	690	135,248	7,408
1832	613	126,222	6,615	159	26,195	1,491	772	152,417	8,106
1833	579	129,393	6,554	82	12,878	726	661	142,271	7,280

(End of Annual Finance Accounts, from 5th Jan. 1832 *to 5th Jan.* 1833.*)*

A

TABLE

OF

All the STATUTES passed in the FIRST Session of the ELEVENTH Parliament of the United Kingdom of *Great Britain* and *Ireland*.

3° & 4° *GUL.* IV.

PUBLIC GENERAL ACTS.

CAP.

I. AN Act to apply certain Sums to the Service of the Year One thousand eight hundred and thirty-three.

II. An Act for raising the Sum of Twelve Millions by Exchequer Bills, for the Service of the Year One thousand eight hundred and thirty-three.

III. An Act for continuing to his Majesty until the Fifth Day of *April* One thousand eight hundred and thirty-four certain Duties on Sugar imported into the United Kingdom, and for One Year certain Duties on Personal Estates, Offices, and Pensions in *England*, for the Service of the Year One thousand eight hundred and thirty-three.

IV. An Act for the more effectual Suppression of Local Disturbances and Dangerous Associations in *Ireland*.

V. An Act for punishing Mutiny and Desertion; and for the better Payment of the Army and their Quarters.

VI. An Act for the Regulation of His Majesty's Royal Marine Forces while on Shore.

VII. An Act to indemnify such Persons in the United Kingdom as have omitted to qualify themselves for Offices and Employments, and for extending the Time limited for those Purposes respectively until the Twenty-fifth Day of *March* One thousand eight hundred and thirty-four; to permit such Persons in *Great Britain* as have omitted to make and file Affidavits of the Execution of Indentures of Clerks to Attornies and Solicitors to make and file the same on or before the First Day of *Hilary* Term One thousand eight hundred and thirty-four, and to allow Persons to make and file such Affidavits, although the Persons whom they served shall have neglected to take out their Annual Certificates.

VIII. An Act to amend an Act for the Conveyance of certain Premises situate between *London Bridge* and the Tower of *London*.

IX. An Act for incorporating the Members of a Society, commonly called "The Seaman's Hospital Society," and their Successors, as therein is mentioned and provided; and for the better enabling and empowering them to carry on the charitable and useful Designs of the same Society.

X. An Act to reduce the Duty payable on Cotton Wool imported into the United Kingdom.

XI. An Act for repealing the Duties and Drawbacks of Excise on Tiles.

XII. An Act to repeal the Duties on Personal Estates continued by an Act of the present Session of Parliament.

XIII. An Act to provide for the Execution of the Duties performed by the Barons of Exchequer in *Scotland* in relation to the Public Revenue, and to place the Management of the Assessed Taxes and Land Tax in *Scotland* under the Commissioners for the Affairs of Taxes.

XIV. An Act to enable Depositors in Savings Banks, and others, to purchase Government Annuities through the Medium of Savings Banks; and to amend an Act of the Ninth Year of His late Majesty, to consolidate and amend the Laws relating to Savings Banks.

XV. An Act to amend the Laws relating to Dramatic Literary Property.

XVI. An Act to repeal the Duties, Allowances, and Drawbacks of Excise on Soap, and to grant other Duties, Allowances, and Drawbacks in lieu thereof.

XVII. An Act for repealing Part of an Act of the Twenty-sixth Year of King *George* the Third, for better securing the Duties on Starch, and for preventing Frauds on the said Duties; and for making other Provisions in lieu thereof.

XVIII. An Act to apply the Sum of Six Millions out of the Consolidated Fund to the Service of the Year One thousand eight hundred and thirty-three.

XIX. An Act for the more effectual Administration of Justice in the Office of a Justice of the Peace in the several Police Offices established in the Metropolis, and for the more effectual Prevention of Depredations on the River *Thames* and its Vicinity, for Three Years.

XX. An Act to indemnify Witnesses who may give Evidence before either House of Parliament touching the Charge of Bribery in the Election of Burgesses to serve in Parliament for the Borough of *Stafford*.

XXI. An Act to suspend until the End of the next Session of Parliament the making of Lists and the Ballots and Enrolments for the Militia of the United Kingdom.

XXII. An Act to amend the Laws relating to Sewers.

XXIII. An Act to reduce the Stamp Duties on Advertisements and on certain Sea Insurances; to repeal the Stamp Duties on Pamphlets, and on Receipts for Sums under Five Pounds; and to exempt Insurances on Farming Stock from Stamp Duties.

XXIV. An Act to amend an Act of the Tenth Year of His late Majesty, for regulating the Reduction of the National Debt.

XXV. An Act for raising the Sum of Fifteen millions seven hundred and fifty-two thousand six hundred and fifty Pounds by Exchequer Bills, for the Service of the Year One thousand eight hundred and thirty-three.

XXVI. An Act to repeal so much of an Act passed in the Parliament of *Ireland* in the Thirty-fourth Year of His Majesty King *George* the Third as imposes Fines on the Masters of Vessels lying in the River *Liffey* for having Fires on board.

XXVII. An Act for the Limitation of Actions and Suits relating to Real Property, and for simplifying the Remedies for trying the Rights thereto.

XXVIII. An Act to repeal an Act of the Thirteenth Year of His Majesty King *George* the First, for the better Regulation of the Woollen Trade.

XXIX. An Act to make further Provisions with respect to the Payment of Pensions granted for Service in the Royal Artillery, Engineers, and other Military Corps under the Control of the Master General and Board of Ordnance, and with respect to Deductions hereafter to be made from Pensions granted by the Commissioners of *Chelsea* Hospital.

XXX. An Act to exempt from Poor and Church Rates all Churches, Chapels, and other Places of Religious Worship.

XXXI. An Act to enable the Election of Officers of Corporations and other Public Companies now required to be held on the Lord's Day to be held on the *Saturday* next preceding, or on the *Monday* next ensuing.

XXXII. An Act to amend the several Acts authorising Advances for carrying on Public Works.

XXXIII. An Act to amend Three Acts passed for maintaining and keeping in repair the Military and Parliamentary Roads and Bridges in the Highlands of *Scotland*, and to improve certain Lines of Communication in the Counties of *Inverness* and *Ross*.

XXXIV. An Act to continue, until the Fifth Day of *April* One thousand eight hundred and thirty-five, Compositions for the Assessed Taxes.

XXXV. An Act to remedy certain Defects as to the Recovery of Rates and Assessments made by Commissioners and other Persons under divers Inclosure and Drainage Acts after the Execution of the final Awards of the said Commissioners.

XXXVI. An Act to diminish the Inconvenience and Expense of Commissions in the Nature of Writs de lunatico inquirendo; and to provide for the better Care and Treatment of Idiots, Lunatics, and Persons of unsound Mind found such by Inquisition.

XXXVII. An Act to alter and amend the Laws relating to the Temporalities of the Church in *Ireland*.

XXXVIII. An Act to extend to the Twenty-first Day of *January* One thousand eight hundred and thirty-four, and to the End of the then next Session of Parliament, the Time for carrying into execution an Act of the First and Second Years of His present Majesty, for ascertaining the Boundaries of the Forest of *Dean*, and for inquiring into the Rights and Privileges claimed by Free Miners of the Hundred of *Saint Briavels*, and for other Purposes.

XXXIX. An Act to reduce certain of the Duties on Dwelling Houses, and to repeal other Duties of Assessed Taxes.

XL. An Act to repeal certain Acts relating to the Removal of poor Persons born in *Scotland* and *Ireland*, and chargeable to Parishes in *England*, and to make other Provisions in lieu thereof, until the First Day of *May* One thousand eight hundred and thirty-six, and to the End of the then next Session of Parliament.

XLI. An Act for the better Administration of Justice in His Majesty's Privy Council.

XLII. An Act for the further Amendment of the Law, and the better Advancement of Justice.

XLIII. An Act for transferring to the Commissioners of His Majesty's Woods and Forests the several Powers now vested in the *Holyhead* Road Commissioners, and for discharging the last mentioned Commissioners from the future Repairs and Maintenance of the Roads, Harbours, and Bridges now under their Care and Management.

XLIV. An Act to repeal so much of Two Acts of the Seventh and Eighth Years and the Ninth Year of King *George* the Fourth as inflicts the Punishment of Death upon Persons breaking, entering, and stealing in a Dwelling House; also for giving Power to the Judges to add to the Punishment of Transportation for Life in certain Cases of Forgery, and in certain other Cases.

XLV. An Act to declare valid Marriages solemnized at *Hamburgh* since the Abolition of the *British* Factory there.

XLVI. An Act to enable Burghs in *Scotland* to establish a general system of Police.

XLVII. An Act to authorize His Majesty to give further Powers to the Judges of the Court of Bankruptcy, and to direct the Times of sitting of the Judges and Commissioners of the said Court.

XLVIII. An Act to amend an Act of the Second and Third Years of His present Majesty relating to Stage Carriages in *Great Britain*; and also to explain and amend an Act of the First and Second Years of His present Majesty, relating to Hackney Carriages used in the Metropolis.

XLIX. An Act to allow Quakers and Moravians to make Affirmation in all Cases where an Oath is or shall be required.

L. An Act to repeal the several Laws relating to the Customs.

LI. An Act for the Management of the Customs.

LII. An Act for the general Regulation of the Customs.

LIII. An Act for the Prevention of Smuggling.

LIV. An Act for the Encouragement of *British* Shipping and Navigation.

LV. An Act for the Registering of *British* Vessels.

LVI. An Act for granting Duties of Customs.

LVII. An Act for the warehousing of Goods.

LVIII. An Act to grant certain Bounties and Allowances of Customs.

LIX. An Act to regulate the Trade of the *British* Possessions Abroad.

LX. An Act for regulating the Trade of the *Isle of Man*.

LXI. An Act to admit Sugar without Payment of Duty to be refined for Exportation.

LXII. An Act to defray the Charge of the Pay, Clothing, and contingent and other Expenses of the Disembodied Militia in *Great Britain* and *Ireland*; and to grant Allowances in certain Cases to Subaltern Officers, Adjutants, Paymasters, Quartermasters, Surgeons, Assistant Surgeons, Surgeons' Mates, and Serjeant Majors of the Militia, until the First Day of *July*, One thousand eight hundred and thirty-four.

LXIII. An Act to render valid Indentures of Apprenticeship allowed only by Two Justices acting for the County in which the Parish from which such Apprentices shall be bound, and for the County in which the Parish into which such Apprentices shall be bound shall be situated; and also for remedying defective Executions of Indentures by Corporations.

LXIV. An Act to amend an Act of the Second and Third Year of His present Majesty, for regulating the Care and Treatment of Insane Persons in *England*.

LXV. An Act to enable the Commissioners for executing the Office of Lord High Admiral of the United Kingdom to acquire certain Lands at *Woolwich* in the County of *Kent*, for better securing His Majesty's Docks there and for the Improvement of the same.

LXVI. An Act to authorise the Commissioners of His Majesty's Treasury to purchase the Duties of Package, Scavage, Balliage, and Porterage belonging to the Corporation of *London*.

LXVII. An Act to amend an Act of the Second Year of His present Majesty, for the Uniformity of Process in Personal Actions in His Majesty's Courts of Law at *Westminster*.

LXVIII. An Act to amend the Laws relating to the Sale of Wine, Spirits, Beer, and Cider by Retail in *Ireland*.

LXIX. An Act to extend and enlarge the Powers of the Commissioners of His Majesty's Woods, Forests, Land Revenues, Works, and Buildings, in relation to the Management and Disposition of the Land Revenue of the Crown in *Scotland*.

LXX. An Act to alter and amend an Act of the Forty-first Year of His Majesty King *George* the Third, for the better Regulation of Public Notaries in *England*.

LXXI. An Act for the Appointment of convenient Places for the holding of Assizes in *England* and *Wales*.

LXXII. An Act for carrying into effect Two Conventions with the King of the *French* for suppressing the Slave Trade.

LXXIII. An Act for the Abolition of Slavery throughout the *British* Colonies, for promoting the Industry of the manumitted Slaves, and for compensating the Persons hitherto entitled to the Services of such Slaves.

LXXIV. An Act for the Abolition of Fines and Recoveries, and for the Substitution of more simple Modes of Assurance.

LXXV. An Act to continue until the End of the next Session of Parliament Two Acts for the Prevention, as far as may be possible, of the Disease called the Cholera or Spasmodic or *Indian* Cholera in *England* and *Scotland*.

LXXVI. An Act to alter and amend the Laws for the Election of the Magistrates and Councils of the Royal Burghs in *Scotland*.

LXXVII. An Act to provide for the Appointment and Election of Magistrates and Councillors for the several Burghs and Towns of *Scotland* which now return or contribute to return Members to Parliament, and are not Royal Burghs.

LXXVIII. An Act to amend the Laws relating to Grand Juries in *Ireland*.

LXXIX. An Act to provide for the more impartial Trial of Offences in certain cases in *Ireland*.

LXXX. An Act requiring the Annual Statements of Trustees or Commissioners of Turnpike Roads to be transmitted to the Secretary of State, and afterwards laid before Parliament.

LXXXI. An Act to Authorize the Application of Part of the Land Revenue of the Crown for providing Fixtures, Furniture, Fittings, and Decorations for *Buckingham* Palace.

LXXXII. An Act to allow the People called Separatists to make a solemn Affirmation and Declaration instead of an Oath.

LXXXIII. An Act to compel Banks issuing Promissory Notes payable to Bearer on Demand to make Returns of their Notes in Circulation, and to authorize Banks to issue Notes payable in *London* for less than Fifty Pounds.

LXXXIV. An Act to provide for the Performance of the Duties of certain Offices connected with the Court of Chancery which have been abolished.

LXXXV. An Act for effecting an Arrangement with the *East India* Company, and for the better Government of His Majesty's *Indian* Territories, till the Thirtieth Day of *April* One thousand eight hundred and fifty-four.

LXXXVI. An Act to provide for the Payment of certain ancient Grants and Allowances formerly paid out of the Civil List Revenues.

LXXXVII. An Act for remedying a Defect in Titles to Messuages, Lands, Tenements, and Hereditaments allotted, sold, divided, or exchanged under Acts of Inclosure, in consequence of the Award not having been inrolled, or not having been inrolled within the Time limited by the several Acts; and for Authorizing the Appointment of new Commissioners in certain Cases where the same shall have been omitted.

LXXXVIII. An Act to continue for Seven Years, and from thence to the End of the then next

Session of Parliament, an Act of the Fifty-ninth Year of King *George* the Third, for facilitating the Recovery of the Wages of Seamen in the Merchants' Service.

LXXXIX. An Act to authorize the Issue of a Sum of Money out of the Consolidated Fund towards the Support of the Metropolitan Police.

XC. An Act to repeal an Act of the Eleventh Year of His late Majesty King *George* the Fourth, for the lighting and watching of Parishes in *England* and *Wales*, and to make other Provisions in lieu thereof.

XCI. An Act for consolidating and amending the Laws relative to Jurors and Juries in *Ireland*.

XCII. An Act to explain and amend the Provisions of certain Acts for the erecting and establishing Public Infirmaries, Hospitals, and Dispensaries in *Ireland*.

XCIII. An Act to regulate the Trade to *China* and *India*.

XCIV. An Act for the Regulation of the Proceedings and Practice of certain Offices of the High Court of Chancery in *England*.

XCV. An Act to appoint additional Commissioners for executing the Acts for granting an Aid by a Land Tax, and for continuing the Duties on Personal Estates, Offices, and Pensions.

XCVI. An Act to apply the Sum of Six Millions out of the Consolidated Fund to the Service of the Year One thousand eight hundred and thirty-three, and to appropriate the Supplies granted in this Session of Parliament.

XCVII. An Act to prevent the selling and uttering of forged Stamps, and to exempt from Stamp Duty artificial Mineral Waters in *Great Britain*, and to allow a Drawback on the Exportation of Gold and Silver Plate manufactured in *Ireland*.

XCVIII. An Act for giving to the Corporation of the Governor and Company of the Bank of *England* certain Privileges, for a limited Period under certain Conditions.

XCIX. An Act for facilitating the Appointment of Sheriffs, and the more effectual Audit and passing of their Accounts; and for the more speedy Return and Recovery of Fines, Issues, forfeited Recognizances, Penalties, and Deodands; and to abolish certain Offices in the Court of Exchequer.

C. An Act for the Relief of the Owners of Tithes in *Ireland*, and for the Amendment of an Act passed in the last Session of Parliament, Intituled *An Act to amend Three Acts passed respectively in the Fourth, Fifth, and in the Seventh and Eighth Years of the Reign of His late Majesty King* George *the Fourth, providing for the establishing of Compositions for Tithes in* Ireland, *and to make such Compositions permanent.*

CI. An Act to provide for the Collection and Management of the Duties on Tea.

CII. An Act to repeal certain penal Enactments made in the Parliament of *Ireland* against Roman Catholic Clergymen for celebrating Marriages contrary to the Provisions of certain Acts made in the Parliament of *Ireland*.

CIII. An Act to regulate the Labour of Children and young Persons in the Mills and Factories of the United Kingdom.

CIV. An Act to render Freehold and Copyhold Estates Assets for the Payment of Simple Contract and Debts.

CV. An Act for the Amendment of the Law relating to Dower.

CVI. An Act for the Amendment of the Law of Inheritance.

LOCAL AND PERSONAL ACTS,

DECLARED PUBLIC,

AND TO BE JUDICIALLY NOTICED.

i. AN Act for raising Money to pay Compensation for Damages committed within the Hundred of *Broxtowe* in the County of *Nottingham* during the late Riots and Tumults therein.

ii. An Act for repealing an Act passed in the Fourth Year of the Reign of His Majesty King *George* the Third, for the better Relief and Employment of the Poor in the Hundred of *Bosmere* and *Claydon* in the County of *Suffolk*, and for granting more effectual Powers instead thereof.

iii. An Act for lighting with Gas the Borough of *Congleton* and the Township of *Buglawton* within the Parish of *Astbury* in the County of *Chester*.

iv. An Act to enable the *Clarence* Railway Company to make certain additional Branch Railways; and to amend and enlarge the Powers of the several Acts for making and maintaining the said Railway.

v. An Act for more effectually repairing and improving several Roads in the Counties of *Cornwall* and *Devon*, leading to the Borough of *Saltash* in the County of *Cornwall*, and for making a new Branch and Deviations of Roads to communicate therewith.

vi. An Act for repairing the Road from *Reedy Gate* in the Parish of *Dunsford*, through *Moretonhampstead*, to *Cherry Brook* in the Forest of *Dartmore*, in the County of *Devon*.

vii. An Act for repairing the Road from *Darly Moor* in the County of *Derby* to *Ellaston* in the County of *Stafford*, and from thence to the Turnpike Road between *Leek* in the same County and *Ashborne* in the County of *Derby*.

viii. An Act for repairing and maintaining the Road from the Guide Post near *Sudden Bridge* in the Parish of *Rochdale* to *Bury*, and a Branch therefrom, all in the County Palatine of *Lancaster*.

ix. An Act for repairing the Roads from near *Monk Bridge*, near *York*, to *New Malton*, and from thence to *Scarborough*, and from *Spittle House* to *Scarborough*, all in the County of *York*.

x. An Act for more effectually repairing and improving the Roads from *Ipswich* to *Helmingham* and to *Debenham*, and from *Hemingston* to *Otley Bottom*, in the County of *Suffolk*.

xi. An Act for more effectually repairing the Roads from *Swell Wold* to the Turnpike Road leading from *Tewkesbury* to *Stow*, and from *Cheltenham* to *Sedgborough*, and from *Winchcomb* to the said Turnpike Road from *Tewkesbury* to *Stow*; and also for making a new Branch from the said Road in *Winchcomb* to the Turnpike Road leading from *Cheltenham* to *London*, at *Andoversford* in the Parish of *Dowdeswell* in the County of *Gloucester*.

xii. An Act for more effectually repairing and improving the Roads from *Wendover* to the End of *Oak Lane*, and from the River *Colne* for Half a Mile towards *Beaconsfield*, in the County of *Bucks*.

xiii. An Act for repairing and improving the Road from *Barnsley* to *Cudworth Bridge*, and from thence into the Turnpike Road leading from *Wakefield* to *Doncaster*, and other Roads connected therewith, all in the West Riding of the County of *York*.

xiv. An Act for making, repairing, and improving certain Roads leading to and from *Helston* in the County of *Cornwall*.

xv. An Act for more effectually repairing the Road from the City of *Norwich* to the Windmill in the Town of *Watton* in the County of *Norfolk*, and for making a new Branch of Road to communicate therewith.

xvi. An Act for repairing the Road from *Wellsbourn Mountfort* to *Stratford-upon-Avon* in the County of *Warwick*.

xvii. An Act for making and maintaining a Road from *Bishop's Waltham* to join the *Botley* and *Winchester* Road at or near *Fishers Pond* in the Parish of *Owslebury* in the County of *Southampton*.

xviii. An Act for more effectually repairing and improving the Road from the End of *Ardwick Green* near *Manchester* in the County Palatine of *Lancaster*, to *Mottram* in *Longdendale* in the County Palatine of *Chester*.

xix. An Act for more effectually making and maintaining a Road from *Thornset* in the County of *Derby* to *Furnace Colliery* within *Disley* in the County of *Chester*, and for making and maintaining several Additions thereto.

xx. An Act for taking down the Parish Church of *Stretton-upon-Dunsmore* in the County of *Warwick* and Diocese of *Lichfield* and *Coventry*, and building a new Church in lieu thereof.

xxi. An Act for the better Sewage, cleansing, and draining of the Town of *Cheltenham* in the County of *Gloucester*.

xxii. An Act for more effectually repairing and improving the Road from *Bolton* to *Kearsley* called the *Moses Gate* District of Road, and a Branch thereout from *Stone Clough* to *Pilkington*, all in the County of *Lancaster*.

xxiii. An Act to rectify a Mistake in an Act of the last Session of Parliament, for more effectually repairing and improving certain Roads leading to and through the Town of *Goudhurst* in the County of *Kent.*

xxiv. An Act for repairing the Road from *Bicester* in the County of *Oxford* to *Aylesbury* in the County of *Buckingham.*

xxv. An Act for more effectually repairing and improving the several Roads comprising the *Flint, Holywell,* and *Mostyn* Districts of Roads in the County of *Flint,* and for making new Deviations and Extensions of Roads to communicate with the said Districts.

xxvi. An Act for the more effectually repairing and maintaining the Turnpike Road from *Pant Evan* Brook in the County of *Flint* to *Abergele* in the County of *Denbigh,* and thence to *Conway* Ferry House in the County of *Carnarvon.*

xxvii. An Act for repairing and maintaining the Roads from *Denbigh* to the *Northop* and *Holywell* Road, and from *Afon Wen* to *Mold,* and also a Branch of Road leading from *Northop* to *Mold,* near a Place called *Black Brook,* and extending over *Rhydgoleû Bridge,* by *Rhûal,* to a certain Bridge called *Pontnewydd,* in the counties of *Denbigh* and *Flint.*

xxviii. An Act for repairing and maintaining the Roads from the Turnpike Road at *Golford Green* in the Parish of *Cranbrooke* to the Turnpike Road in the Parish of *Sandhurst,* and from the Village of *Benenden* to the *Bull* Inn at *Rolvenden Cross* in the County of *Kent.*

xxix. An Act to amend Two Acts for more effectually draining and preserving certain Marsh Lands or Low Grounds, in the Counties of *Kent* and *Sussex,* draining into the River *Rother* and Channel of *Appledore.*

xxx. An Act for making the Hamlets of *Newbold* and *Armscott* a separate Parish from the Parish of *Tredington* in the County and Diocese of *Worcester;* and for building a Church and providing a Churchyard and Parsonage House at *Newbold.*

xxxi. An Act for better supplying with Water the City and County of the City of *Exeter,* and such Part of the Parish of *Saint David* as is situated in the County of *Devon.*

xxxii. An Act for more effectually supplying with Water the City and County of the City of *Exeter,* and places adjacent thereto.

xxxiii. An Act to alter and amend an Act of the fifty-third Year of His late Majesty King *George* the Third, for better assessing and collecting the Poor and other Rates in the Parish of *Saint Giles, Camberwell,* in the County of *Surrey,* and regulating the Affairs thereof, and for other Purposes relating thereto.

xxxiv. An Act for making a Railway from the *Warrington* and *Newton* Railway at *Warrington* in the County of *Lancaster* to *Birmingham* in the County of *Warwick,* to be called the Grand Junction Railway.

xxxv. An Act for making a Railway from *Whitby* to *Pickering* in the North Riding of the County of *York.*

xxxvi. An Act for making a Railway from *London* to *Birmingham.*

xxxvii. An Act for maintaining and improving several Roads in the County of *Cardigan.*

xxxviii. An Act for more effectually repairing the Road from the Twenty Mile Stone on *Egham Hill* in the County of *Surrey* to a Place called *Basingstone,* near the Town of *Bagshot* in the Parish of *Windlesham* in the same County.

xxxix. An Act for more effectually repairing, altering, widening, and otherwise improving the Road from *Ber Street Gates* in the City of *Norwich* to *New Buckenham* in the County of *Norfolk.*

xl. An Act for improving certain Roads within the County Palatine of *Chester,* called The *Chester Neston,* and *Woodside Ferry* District of Roads.

xli. An Act for repairing the Road from *Upton* in *Railey* to *Great Kington* and *Wellesbourne Hastings* in the County of *Warwick.*

xlii. An Act for more effectually repairing the several Roads leading from the Towns of *Hertford* and *Ware* and other Places in the County of *Hertford.*

xliii. An Act for more effectually repairing the Road from *Lewes* to *Brighthelmstone* in the County of *Sussex.*

xliv. An Act for more effectually repairing the Roads from *Hodges* to *Beadles Hill* and *Cuckfield* and from *Beadles Hill* to *Lindfield,* all in the County of *Sussex.*

xlv. An Act for repairing and improving several Roads called The *Main Trust* Roads, all in the County of *Carmarthen,* and making a new Piece of Road to communicate therewith from the Confines of the said County to *King's Moor* in the County of *Pembroke*.

xlvi. An Act for making a Railway from *London* to *Greenwich*.

xlvii. An Act for better regulating the Market, and cleansing the Streets, and preventing Nuisances, in the Town of *Taunton* in the County of *Somerset*; and for amending Two several Acts of His late Majesty King *George* the Third relative thereto.

xlviii. An Act to alter and enlarge the Powers of several Acts passed for the better Relief and Employment of the Poor in the Hundred of *Wangford* in the County of *Suffolk*.

xlix. An Act to alter, amend, and enlarge the Powers of an Act passed in the Fourth Year of the Reign of His Majesty King *George* the Third, intituled *An Act for the better Relief and Employment of the Poor in the Hundred of* Mutford *and* Lothingland *in the County of* Suffolk.

l. An Act for building a Bridge over the River *Trent*, from *Walton-upon-Trent* in the County of *Derby* to *Barton-under-Needwood* in the County of *Stafford*.

li. An Act for paving, cleansing, lighting, watching, and improving the Town and Parishes of *Gravesend* and *Milton* in the County of *Kent*, and for removing and preventing Nuisances and Annoyances therein.

lii. An Act to alter, amend, and enlarge the Powers of an Act passed in the Ninth Year of the Reign of His late Majesty King *George* the Fourth, for making and maintaining a Railway or Tramroad from *Gelly Gille Farm* in the Parish of *Llanelly* in the County of *Carmarthen* to *Machynis Pool* in the same Parish and County, and for making and maintaining a Wet Dock at the Termination of the said Railway or Tramroad at *Machynis Pool* aforesaid.

liii. An Act for repairing and maintaining the Road from *Stone Street Hatch* at *Ockley*, in the County of *Surrey*, to *Warnham* in the County of *Sussex*.

liv. An Act for more effectually repairing the Road from *Tunstall* in the County of *Stafford* to *Bosley* in the County of *Chester*, and from *Great Chell* to *Shelton* in the said County of *Stafford*, and for making a new Line and Diversion of Road to communicate therewith.

lv. An Act for more effectually repairing the Roads leading from the City of *Gloucester* towards the City of *Hereford*, and also towards *Newent* and *Newnham* in the County of *Gloucester*, *Ledbury* in the County of *Hereford*, and *Upton-upon-Severn* in the County of *Worcester*.

lvi. An Act for more effectually repairing the Road from the North end of the Road called "The *Coal Road*," near *West Auckland* in the County of *Durham*, to the *Elsdon* Road near *Elishaw* in the County of *Northumberland*.

lvii. An Act to amend an Act passed in the Seventh Year of the Reign of His Late Majesty King *George* the Fourth, for repairing the Roads from *Manchester* to *Salter's Brook*, and for making several roads to communicate therewith; and also for making a certain new Extension or Diversion of the said Roads instead of a certain Extension or Diversion by the said Act authorized to be made.

lviii. An Act for more effectually repairing the several Roads leading from the Borough of *Ledbury* in the County of *Hereford*, and the Road from the Parish of *Bromesberrow* to the Road from *Gloucester* to *Worcester*, and for making several Roads to communicate therewith.

lix. An Act for more effectually repairing the Road from the Canal Bridge in *Hurdsfield* in the County of *Chester* to the Turnpike Road at *Randle Carr Lane Head* in *Fernilee* in the County of *Derby*, leading to *Chapel-in-the-Frith* in the same County.

lx. An Act for more effectually repairing the Road from the Turnpike Road in *Baldock* in the County of *Hertford* to the Turnpike Road at or near *Bourn Bridge* in the County of *Cambridge*.

lxi. An Act for repairing and improving the Road between the Towns of *Ross* and *Abergavenny* by *Broad Oak* and *Skenfrith*, and certain Roads connected therewith leading to *Grosmont* and other places, and for making and maintaining certain Branches of Road to communicate therewith, all in the Counties of *Hereford* and *Monmouth*.

lxii. An Act for improving and enlarging the Market Places within the City of *York*, and rendering the Approaches thereto more commodious; and for regulating and maintaining the several Markets and Fairs held within the same City and the Suburbs thereof; and for amending an Act of His late Majesty, for paving, lighting, watching, and improving the said City; and other Purposes.

lxiii. An Act for granting certain Powers to a Company called "The Imperial Continental Gas Association."

lxiv. An Act for the better establishing and securing a Fund for providing Annuities to the Widows and Children of the Members of the Faculty of Procurators of *Glasgow.*

lxv. An Act to enable the *Edinburgh* Life Assurance Company to sue and be sued in the name of their Manager, Secretary, or a limited Number of their ordinary Directors, to hold Property, and for other Purposes relating thereto.

lxvi. An Act to enable The Economic Life Assurance Society to sue and be sued in the Name of any one of the Directors or Trustees of the said Society.

lxvii. An Act to alter and amend the Powers of several Acts passed relating to the Harbour of *Rye* in the County of *Sussex*, and for granting further Powers for improving and completing the said Harbour and the navigation thereof.

lxviii. An Act for paving, lighting, watching, cleansing, and otherwise improving the Township or Chapelry of *Birkenhead* in the County Palatine of *Chester*, and for regulating the Police thereof, and for establishing a Market within the said Township.

lxix. An Act to enable the Company of Proprietors of the *Leicester* and *Swannington* Railway to execute additional Works and Branches, and for altering and amending the Powers of the Act relating to the said Railway.

lxx. An Act for enabling the *Stratford* and *Moreton* Railway Company to make a new Branch of Railway to *Shipston-upon-Stour* in the County of *Worcester.*

lxxi. An Act for making and maintaining a Railway from the Termination of the *Leicester* and *Swannington* Railway in the Township of *Swannington*, in the County of *Leicester*, to the *Ashby-de-la-Zouch* Railway in the Township of *Worthington* in the said County, and a Branch Railway therefrom.

lxxii. An Act for altering and amending several Acts passed for the Drainage and Improvement of the Lands lying in the *North Level*, Part of the Great Level of the Fens called *Bedford Level*, and in *Great Portsand* and in the Manor of *Crowland;* and for providing additional Funds for such Drainage and Improvement by the *Nene Outfall Cut* to Sea.

lxxiii. An Act for repairing the Road from the town of *Great Faringdon* in the County of *Berks* to *Burford* in the County of *Oxford.*

lxxiv. An Act for more effectually repairing and otherwise improving the Road from *Warrington* to *Wigan* in the County Palatine of *Lancaster.*

lxxv. An Act for repairing and improving the Roads through *Huntley* from *Gloucester* towards *Ross* in the County of *Hereford*, and to and from *Mitcheldean*, and through *Westbury-upon-Severn* to *Newnham* and *Littledean*, in the County of *Gloucester.*

lxxvi. An Act for maintaining and improving the Turnpike Road from the Guide Post below *Haddon*, out of the *Bakewell* Turnpike Road, into the *Bentley* and *Ashbourne* Turnpike Road, in the County of *Derby.*

lxxvii. An Act for repairing and widening the Road from *Whitchurch* in the County of *Southampton* to the extremity of the Parish of *Aldermaston* in the County of *Berks.*

lxxviii. An Act for better repairing the Roads from *Warminster* and from *Frome* to the *Bath* Road, and from *Woolverton* to the *Trowbridge* Road, in the Counties of *Wilts* and *Somerset*, and for making certain new Lines of Road branching out of such Roads to and towards *Bath.*

lxxix. An Act to make and maintain a Turnpike Road from the *Gateshead* and *Hexham* Turnpike Road at or near to *Axwell Park* Gate, on the River *Derwent*, in the Township of *Winlaton* in the Parish of *Ryton* in the County of *Durham*, to the village of *Shotley Bridge* in the said County of *Durham.*

lxxx. An Act for more effectually repairing the Road from the East End of a Close called *Lord's Close*, in the Parish of *Brougham* in the County of *Westmoreland*, by way of *Brougham Bridge*, into the Town of *Penrith* in the County of *Cumberland.*

lxxxi. An Act for more effectually repairing the Road from *Storrington* to *Ball's Hut* in *Walberton* in the County of *Sussex.*

lxxxii. An Act for repairing the Road from *Offham* to *Ditchelling* in the County of *Sussex.*

lxxxiii. An Act for repairing, maintaining, and improving the Road from *Tadcaster Bridge* within the County of the City of *York* to *Hob Moor Lane End.*

lxxxiv. An Act for more effectually repairing and improving the Road from *Rochdale* to *Edenfield* in the Parish of *Bury*, all in the County Palatine of *Lancaster.*

lxxxv. An Act for continuing certain Powers to the Trustees of the *New North Road*, leading from the South End of *Highbury Place, Islington,* to *Haberdashers Walk* in the Parish of *Saint Leonard Shoreditch,* in the County of *Middlesex.*

lxxxvi. An Act for repairing the Road from *Aylesbury* in the County of *Buckingham* to *Thame* in the County of *Oxford,* and the Roads leading from the Town of *Thame* to *Shillingford, Postcomb,* and *Bicester,* in the said County of *Oxford.*

lxxxvii. An Act for more effectually repairing the Road from *Rugby Bridge* in the County of *Warwick* to the Town of *Hinckley* in the County of *Leicester.*

lxxxviii. An Act for more effectually repairing the Roads from *Brimington* and *Chesterfield* in the County of *Derby* to the *High Moors* in the Parish of *Brampton,* in the said County.

lxxxix. An Act for amending an Act of His late Majesty King *George* the Fourth, for more effectually making and repairing certain Roads leading to and from *Bodmin,* and other Roads therein mentioned, in the County of *Cornwall;* and for making and maintaining a new Road communicating therewith.

xc. An Act to amend so much of Two Acts for repairing the Road leading from *Cheltenham* towards the City of *Gloucester,* and for making a new Branch to communicate with the same as relates to the Priority of certain Mortgages granted on the Tolls thereof.

xci. An Act for Repairing the Roads from *Fyfield* in the County of *Berks* to *Saint John's Bridge* in the County of *Gloucester,* and from *Kingston Bagpuze* to *Newbridge* in the said County of *Berks.*

xcii. An Act for more effectually repairing the Roads leading from *Swindon* to the Centre of *Christian Malford Bridge,* from *Calne* to *Lyneham Green,* and from the Direction Post in *Long Leaze Lane* near *Lydiard Marsh* to *Cricklade,* in the County of *Wilts.*

xciii. An Act for maintaining the Roads from the Town of *Kingston-upon-Hull* to the Town of *Beverley* in the East Riding of the County of *York,* and from *Newland Bridge* to the West End of the Town of *Cottingham* in the same Riding.

xciv. An Act for improving the Communication between the Towns of *Chepstow* and *Abergavenny* in the County of *Monmouth.*

xcv. An Act to enable the *Clarence* Railway Company to make an Extension of the Line of their Railway.

xcvi. An Act for draining and preserving certain Fen Lands and Low Grounds in the Parish of *Wiggenhall Saint Mary Magdalen* in the County of *Norfolk,* and other Purposes.

xcvii. An Act for more effectually repairing and improving the Road from *Butterton Moor End* to the Turnpike Road leading from *Buxton* to *Ashborne,* and other Roads therein mentioned, in the Counties of *Stafford* and *Derby,* and for making several Diversions or new Lines of Road to communicate therewith.

xcviii. An Act for more effectually repairing the Road from *Bury Saint Edmunds* to *Newmarket* in the Counties of *Suffolk* and *Cambridge.*

xcix. An Act for improving the *Shrewsbury* District and the *Wellington* District of the *Watling Street* Road in the County of *Salop.*

c. An Act for continuing certain Powers to the Trustees of the Road from *Kentish Town* to *Upper Holloway* in the County of *Middlesex.*

ci. An Act for amending an Act passed in the Ninth Year of the Reign of His late Majesty King *George* the Fourth, intituled *An Act for rebuilding, or for improving, regulating, and maintaining the Town Quay of* Gravesend *in the County of* Kent, *and the landing place belonging thereto;* and for building a Pier or Jetty adjoining thereto.

cii. An Act for erecting a Bridge over the River *Dungleddan* within the Town and County of *Haverfordwest* and the Liberties thereof.

ciii. An Act for supplying with Water the Town and County of *Haverfordwest* and the Liberties thereof.

civ. An Act for better supplying with Water the Town and Borough of *Lewes,* and the Neighbourhood thereof, in the County of *Sussex.*

cv. An Act for paving, cleansing, lighting, watching, repairing, and improving a certain Portion of the Parish of *Herne* in the County of *Kent.*

cvi. An Act to explain and amend an Act passed in the First and Second Year of the Reign of His present Majesty, intituled *An Act to alter and amend an Act passed in the Seventh and Eighth Year of the Reign of His late Majesty, intituled 'An Act for carrying into effect certain Improvements within the City of* Edinburgh *and adjacent to the same.'*

cvii. An Act for amending several Acts of the Sixteenth, Twenty-third, Twenty-ninth, and

Fifty-fourth Years of His late Majesty King *George* the Third, for the better Relief and Employment of the Poor within the Hundred of *Forehoe* in the County of *Norfolk.*

cviii. An Act for erecting and maintaining a Gaol, Court Houses, and Public Offices for the Burgh of *Lanark* and the Upper Ward of the County of *Lanark;* and also for erecting and maintaining a Gaol, Court Houses, and Public Offices for the Burgh of *Hamilton* and Middle Ward of the said County.

cix. An Act for repairing, amending, and maintaining the Turnpike Roads in the County of *Haddington,* for rendering Turnpike certain Statute Labour and Parish Roads, and for more effectually collecting and applying the Statute Labour in the said County.

cx. An Act for confirming and carrying into effect Agreements between the Bishop of *Ely* and the Society of Judges and Serjeants at Law, for vesting in the said Society the Fee Simple of *Serjeants Inn, Chancery Lane,* and between the Parish of *Saint Dunstan in the West* and the said Society: and for other Purposes.

cxi. An Act to alter and amend Three several Acts made in the Seventh and Forty-second Years of the Reign of King *George* the Third, and the Sixth Year of the Reign of His late Majesty King *George* the Fourth, for draining Lands within the Level of *Ancholme* in the County of *Lincoln,* and making certain Parts of the River *Ancholme* navigable.

cxii. An Act for more effectually repairing several Roads in the Counties of *Carlow, Kilkenny,* and *Tipperary,* and also the Road from the Town of *Clonmel,* through the County of *Waterford,* to the Cross Roads of *Knocklofty* in the said County of *Tipperary.*

cxiii. An Act for better preserving the Harbour of *Maryport,* and for lighting and otherwise improving the Township of *Maryport* in the County of *Cumberland.*

cxiv. An Act for making Two Branch Railways from the *Monkland* and *Kirkintilloch* Railway; and for altering, amending, and enlarging the Powers of an Act of the Fifth Year of His late Majesty for making the said Railway.

cxv. An Act to amend an Act passed in the Ninth Year of the Reign of His late Majesty, for regulating and enabling the City of *Dublin* Steam Packet Company to sue and be sued.

cxvi. An Act for renewing and extending the Terms of the Acts relating to the *Greenock* and *Renfrew* and *Greenock* and *Kelly Bridge* Roads in the County of *Renfrew.*

cxvii. An Act for dissolving "The *Saint George*'s Fund Society," otherwise called "The "Troopers Fund," in the Royal Regiment of Horse Guards, and for distributing the Fund.

cxviii. An Act for raising a Sum of Money for the Repair of *Blackfriars Bridge.*

cxix. An Act for the more easy and speedy Recovery of Small Debts within the Township of *Hyde,* and other Places therein mentioned, in the County Palatine of *Chester.*

cxx. An Act to rectify a Mistake in an Act of this Session of Parliament, for more effectually repairing the Road from the Canal Bridge in *Hurdsfield* in the County of *Chester* to the Turnpike Road at *Randle Carr Lane Head* in *Fernilee* in the County of *Derby,* leading to *Chapel-in-the-Frith* in the same County.

cxxi. An Act to amend the Acts relating to the *Thames* Tunnel Company, and to extend the Powers thereby given for raising Money for the Completion of the said Tunnel.

cxxii. An Act to appoint Trustees for the Creditors of the City of *Edinburgh.*

PRIVATE ACTS,

PRINTED BY THE KING'S PRINTER,

AND WHEREOF THE PRINTED COPIES MAY BE GIVEN IN EVIDENCE.

1. AN Act for dividing, allotting, and inclosing Lands in the Tithing of *Hanging Langford* within the Parish of *Steeple Langford* in the County of *Wilts.*

2. An Act for inclosing Lands in the Township of *Crakehall* in the Parish of *Bedale* in the North Riding of the County of *York.*

3. An Act for enabling the Trustees of the Will of the late Sir *Henry Charles Englefield* Baronet, deceased, to sell the undivided Moiety of the Estate called the *Wharram Percy* Estate, in the County of *York,* thereby devised.

4. An Act for settling and preserving Sir *John Soane*'s Museum, Library, and Works of Art, in *Lincoln's Inn Fields* in the County of *Middlesex*, for the Benefit of the Public, and for establishing a sufficient Endowment for the due Maintenance of the same.

5. An Act for effecting an Exchange between the Master or Keeper and Fellows or Scholars of *Corpus Christi College* in the University of *Cambridge*, and the Master or Keeper, Fellows and Scholars of *Pembroke Hall* in the same University.

6. An Act for vesting and securing the Lands of *Muirhouse* in the County of *Lanark* in General *John Hamilton* of *Dalzell*, and the Heirs under a Deed of Entail of the said Estate of *Dalzell* in said County, made by *James Hamilton*, Esquire, of *Rosehall*, under the Conditions and Limitations therein contained; and for disentailing, in lieu thereof, certain detached Parts of the said Entailed Estate; and also for vesting other Parts of the said Entailed Estate in a Trustee, to sell the same, and apply the Price thereof, or the Securities to be granted thereon, for Payment of Debts contracted by the said General *John Hamilton* for Money laid out in the Improvement of the said Entailed Estate.

7. An Act to enable the Reverend *Richard Morris* and *Mary Ann* his Wife, during their joint Lives, and the said *Mary Ann Morris* in case she shall survive the said *Richard Morris*, and after her Decease the Guardians of *Martha Sophia Hogg* Spinster, during her Infancy, to grant Leases of Part of the Estates devised by the Will of *James Hogg* deceased, for the Purpose of building upon and otherwise improving the same.

8. An Act for vesting the undivided Moieties of certain Estates of the Reverend *Vincent Edwards* and *Jane* his Wife, and their Issue, and of the Devisees of *Richard Edwards* deceased, in Trustees, for Sale, and for laying out the Monies to be produced by such Sale in the Purchase of other Estates, to be settled to the same Uses.

9. An Act for inclosing, dividing, and allotting the Commons, Droves, and Waste Lands in the Parish of *Wisbech Saint Mary*'s in the *Isle of Ely* in the County of *Cambridge*.

10. An Act for dividing, allotting, and inclosing Lands in the Township of *Middleton by Wirksworth* in the County of *Derby*.

11. An Act for inclosing Lands in the Parish of *Ganerew* in the County of *Hereford*.

12. An Act for inclosing Lands in the Parish of *Elkstone* in the County of *Gloucester*.

13. An Act for inclosing certain Moors or Commons called *West Moor*, *East Moor*, and *Middle Moor*, in the County of *Somerset*.

14. An Act for inclosing Lands in the Township of *Great Givendale* in the East Riding of the County of *York*.

15. An Act for inclosing Lands in the Parish of *Oakington* in the County of *Cambridge*, and for commuting the Tithes of the said Parish.

16. An Act for inclosing Lands within the Parish of *Lakenheath* in the County of *Suffolk*.

17. An Act for inclosing Lands in the Parish of *Yardley* in the County of *Worcester*, and for commuting the Tithes of the said Parish.

18. An Act for confirming a Partition of Farms and Lands in the County of *Kent*, devised by the Will of *William Murton*, late of *Tunstall* in the same County, deceased.

19. An Act for effecting an Exchange of Estates in the County of *Lincoln* between *Elizabeth Vere* Widow and *James Vere* Esquire and *William Robinson*.

20. An Act for inclosing Lands within the Manor of *Little Salkeld* in the Parish of *Addingham* in the County of *Cumberland*.

21. An Act for dissolving the Corporation of The *Leeds* Oil Gas Light Company, and for vesting the Estate and Effects of the Company in Trustees, to be sold for the Benefit of the Parties interested therein; and for finally settling and adjusting the Company's Concerns.

22. An Act for enabling *Charles Robert Carter Petley* Esquire and others to grant Building and Repairing Leases of Lands and Premises in the Parishes of *Saint Dunstan Stebonheath* otherwise *Stepney* and *Saint Matthew Bethnal Green* in the County of *Middlesex*.

23. An Act to enable the Trustees of the Blue Coat Charity School at *Stockton* in the County of *Durham* to sell and dispose of certain Lands and Hereditaments

belonging to the said Charity, and to purchase and acquire other Lands in lieu thereof, and also the Reversion of the Lands held by them for Lives.

24. An Act for vesting certain Estates of which *Ann Thornycroft* Spinster was Mortgagee in Fee in the Reverend *Robert Clowes* Clerk, the surviving Executor of her Will, subject to the subsisting Equities of Redemption.

25. An Act for dividing, allotting, and inclosing the Commonable and Waste Lands in the Borough of *Loughor* in the Manor of *Loughor* in the County of *Glamorgan*.

26. An Act to grant further Power to lease certain Parts of the Devised Estates of the Right Honourable *Richard* late Viscount *Fitzwilliam* deceased, situate in the City of *Dublin* and the Neighbourhood thereof.

27. An Act for enabling and directing the Trustees acting under the Will of *Peter Thellusson* Esquire, deceased, to grant certain Leases of the Estates subject to the Trusts of the said Will; and for other Purposes.

28. An Act to vest Part of the Estates devised by the Will of the Reverend *Robert Maurice*, late of *Blandford Forum* in the County of *Dorset*, Clerk, deceased, in Trustees, for Sale; and for investing the Monies to arise from such Sale in the Purchase of other Estates, to be settled to the subsisting Uses of the said Will.

29. An Act to enable the Lord Bishop of *Limerick* to sell and dispose of *Saint George*'s Chapel in the City of *Limerick*, and the Land on which the same is built (heretofore Part of the Estate of the Earl of *Limerick*), and to apply the Proceeds of such Sale in the Erection of a new Chapel.

30. An Act to invest Parts of the Entailed Estate of *Langley Park* in the County of *Forfar*, belonging to *James Cruikshank* Esquire, in Trustees, in Fee Simple, for the Purpose of selling the Lands so vested, and applying the Price thereof, or the Loans to be raised on Securities to be granted thereon and on the said Entailed Estate, towards Extinction of Debts affecting or that may be made to affect the Fee of the said Estate.

PRIVATE ACTS,

NOT PRINTED.

31. AN Act for naturalizing *Pompey Anichini*.

32. An Act for naturalizing *Leo Schuster*.

33. An Act for naturalizing *William Lindon*.

34. An Act for naturalizing *John George Behrends*.

35. An Act for naturalizing *Edward Pein*.

36. An Act for naturalizing *Anselmo de Arroyave*.

37. An Act for naturalizing *Claus Sturcke*.

38. An Act for naturalizing *William Matthiessen*

39. An Act for inclosing Lands in the Township of *Wortley* in the Parish of *Leeds* in the West Riding of the County of *York*.

40. An Act for inclosing Lands in the Parish of *Bepton* in the County of *Sussex*.

41. An Act for naturalizing *John Leisler*.

42. An Act for naturalizing *John Louis Lemmé*.

43. An Act to dissolve the Marriage of *John Walpole Willis* Esquire with the Right Honourable Lady *Mary Isabelle* his now Wife, and to enable him to marry again; and for other Purposes therein mentioned.

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